INQUIRY

MAGAZINE

MARCH 29, 1982 • $1.50

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The Pacific Northwest's Nuclear Bust

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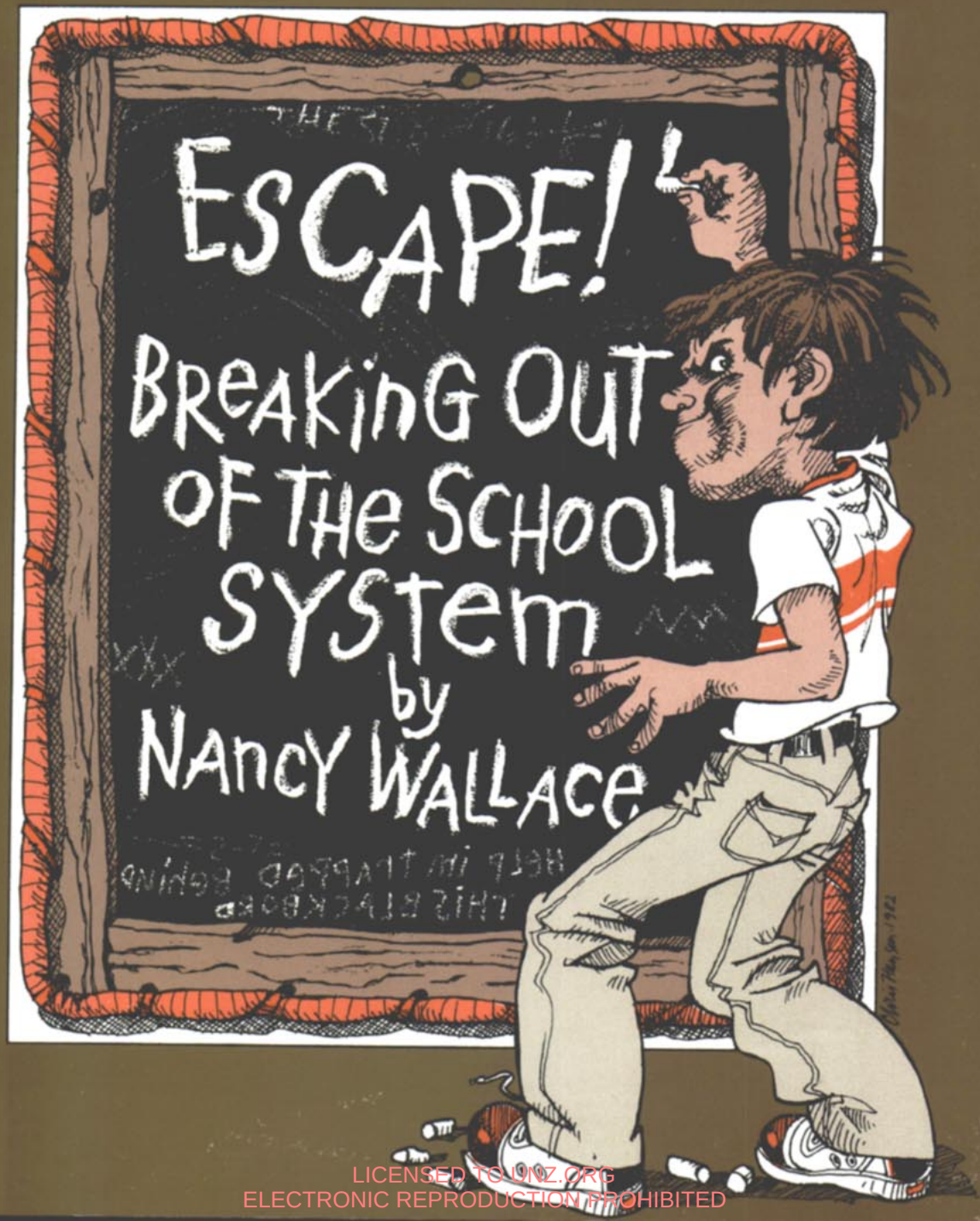

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INQUIRY®

MARCH 29, 1982

Escape! Breaking Out of the School System

NANCY WALLACE **p. 16**

Like clockwork, most parents turn their children over to the state at the age of five for compulsory schooling. But a growing network of parents and children is proving that homemade school may be the best.

When Science Is Outlawed. . .

JOHN PIKE **p. 21**

Steps are being taken to establish a Ministry of Science to throttle the flow of technology to the USSR—but more likely it will only strangle American scientific creativity. And as Jonathan Marshall points out on page 22, the government is already running a makeshift Ministry of History.

COLUMNS & REVIEWS

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More First Amendment snapshots. If you're catching a bus in Baltimore, be prepared to be arrested for loitering—and if you're a kid in school, get ready for the humiliation of a strip-search. *(NAT HENTOFF)*

Politics ..... **p. 10**
Free enterprise for the favored. The enterprise-zone idea to roll back taxes and regulation is a great one—but why limit it to a few privileged political fiefdoms? *(JACK SHAFER)*

Corporate State ..... **p. 12**
Going broke on atoms. The $20 billion cost overrun on the WPPSS nukes in the Pacific Northwest may spell the end of the nuclear industry in America—and that area's financial solvency. *(PAUL LOEB)*

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Film ..... **p. 34**
Stephen Harvey on *Making Love* and *Personal Best*.

Cover illustration by CHRIS HANSEN

A WORD FROM THE PUBLISHER

MOST OF US GREW UP believing in our "right to a free public education," through the American system of government schools that sprang up in the nineteenth century. But most of today's children value this right about as highly as they would prize the "right" to a free dinner of liver and brussels sprouts. This isn't because kids don't know what's good for them; on the contrary, they see far more clearly than we educated adults can that our lavishly financed educational system is based on force.

Our feature article on home-schooling is written from a very personal perspective, and is thus somewhat of a departure from the *INQUIRY* norm. But if ever there were a topic that lends itself to an intensely personal account, the education of a child is it. Our report is one of educational triumph, but how many other stories of children, parents, teachers, and schools, if they were written, would be tragedies?

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RES PUBLICA

Flash! Commie typewriters storm Pentagon

■ Since 1978, the East German–made Optima Typewriters, the cheapest on the market, have been selling like hot cakes to the Pentagon. The General Services Administration . . . has bought some $5 million worth of the Optimas, with most going to the Army.

—Washington Post, Feb. 8, 1982

So have we, Al, so have we

■ Alan Cranston said that when he went to the United States Senate in 1969 he held the presidency in such awe that it was "hard to imagine one's self in it."

But after thirteen years of close-up observance of Presidents Nixon, Ford, Carter, and Reagan, the assistant Democratic leader of the Senate said, "I have lost my awe."

—New York Times, Jan. 17, 1982

Attention! Gov. Carey now doing his job!

■ Politicians generally issue press releases to announce the new, the far-reaching, or at least something they hope will make news.

Last week the governor's office issued one that some critics said heralded the fact—as news—that Mr. Carey was doing his job.

"Governor Hugh L. Carey announced today," the release began, "that a substantial number of bills to implement his executive budget, his legislative program, and the proposals of executive branch agencies have been submitted to the Senate and Assembly. . . ."

Why is this news?

Steven Morello, Mr. Carey's deputy press secretary, said the announcement was a "status report." But he added: "It was also done, frankly, because people have with some success—although not legitimately—tried to make the point that we were sometimes slow to follow up on what we said we would propose."

—New York Times, Feb. 21, 1982

Justice invaders

■ The sudden settlement of the government's antitrust suit against the American Telephone and Telegraph Company stranded a platoon of Justice Department lawyers. . . .

Some of them, fearing days devoid of contention, discovered that they could program their Wang electronic word processors with Atari's Space Invaders game. . . .

One combatant reports that the competition has spread to interoffice levels, and the Wang memory bank at Justice now includes the current ten top Space Invader scores and the encoded initials of the shiftiest, trigger-happy lawyers.

—New York Times, Feb. 8, 1982

. . . not to mention Goethe, Voltaire, and Lao-tzu

■ Last fall, Kathleen Calderon . . . suggested that her students write letters to prominent figures from captains of industry to Pope John Paul II, asking if they thought the study of Latin still had value. Sixty-five replies have been received, many with ringing affirmations of the eternal relevance of the mother tongue of Virgil, Cicero, and Homer.

—New York Times, Feb. 10, 1982

Use the long form

■ L. Joyce Hampers, the state's commissioner of revenue, says Massachusetts loses millions—$367 million in 1981, to be precise—to taxpayers who fail to report income earned through "subterranean" means. So this year, the state income tax forms explicitly command all taxpayers to declare income derived from "side commissions, kickbacks, illegal activities, such as drugs, stealing, etc., skimming, moonlighting, gambling, prizes, and awards." Failure to report such gains, the form warns, can result in prosecution for perjury and fraud.

—Boston Phoenix, Jan. 26, 1982

Maybe they should wear WIN buttons

■ Czechoslovakia boosted prices for basic foodstuffs sharply. It raised the average price of meat 41 percent and increased tobacco-product prices 40 percent.

Czechoslovakia's announcement came as consumers in Poland and Rumania also braced for higher prices on basic commodities.

The Polish increases will boost the cost of basic foodstuffs and utilities between 200 percent and 400 percent. A more than 100 percent increase is unofficially predicted for some foodstuffs in Rumania.

—Wall Street Journal, Feb. 1, 1982

No mercy for orphans

■ The government, goaded by two glaring cases, is choking off thousands of dollars in Social Security survivor's benefits to children who murder their parents. . . .

The crackdown follows recent reports in California that a twenty-year-old man who killed his mother and sister five years ago collected $21,500 upon parole. . . .

In another case, Dwayne Chester Peel, who was fourteen when he killed his father in 1977, was reported to have collected about $8000 in survivor benefits.

—Washington Post, Jan. 18, 1982

Ask a stupid question . . .

■ Stowaway Andres Rodriguez-Hernandez, whose deportation to Cuba triggered diplomatic and community controversy, was denied asylum in the United States because he could not prove he was a political dissident, Immigration and Naturalization Service officials said Tuesday. . . .

INS spokesman Verne Jervis said the note given to Rodriguez-Hernandez Friday at the Krome Avenue detention center said his application had been rejected because he:

*Was gainfully employed in Cuba.

*Never had been arrested.

*Never took any action, nor expressed any views, against the government of Cuba.

*Never belonged to any organization that is opposed or hostile to the Cuban government.

In reply to the question: Why do you want to come to the United States, the young Cuban replied: "Because this is the land of the free."

—Miami Herald, Jan. 20, 1982

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Fascism as metaphor

Rip van Sontag and other sleepyheads

There are many lessons to be learned from the Polish events. But, I would maintain, the principal lesson to be learned is the lesson of the failure of communism, the utter villainy of the communist system. It has been a hard lesson to learn. And I am struck by how long it has taken us to learn it. I say we—and of course I include myself. . . . Imagine, if you will, someone who read only the Reader's Digest *between 1950 and 1970, and someone in the same period who read only the* Nation *or the* New Statesman. *Which reader would have been better informed about the realities of communism? The answer, I think, should give us pause. Can it be that our enemies were right?*

The émigrés from communist countries that we didn't listen to, who found it far easier to get published in the Reader's Digest *than in the* Nation *or the* New Statesman, *were telling the truth. Now we hear them. Why didn't we hear them before, when they were telling us exactly what they tell us now? We thought we loved justice; many of us did. But we did not love the truth enough. . . .*

THUS DID LEFTIST AUTHOR AND FILMmaker Susan Sontag say the requiem for her own political movement last month. The occasion was a rally at Town Hall in New York City, where various leftists were meeting to express solidarity with Solidarity—but, characteristically, acting as though the naked face of tyranny recently bared in Poland were some sort of weird aberration. Sontag upset the apple cart ("some would say rudely," sniffed the *Nation*). She not only compared life in communist nations to life in fascist nations, but took it a step further. "Communism is in itself a variant, the most successful variant, of fascism," she said. "Fascism with a human face."

It is more than a little sad that a well-educated adult could be so astonished, and face a crisis of conscience, over Poland. What is happening in Poland today is *nothing* compared to what happened in Cambodia a few years ago, or Hungary in 1956, or in the Soviet Union throughout the Stalinist era. Sadder still, though, is that so many of Rip van Sontag's ideological marching companions have, once again, blinded themselves to events that contradict their world view.

Most notable was a symposium on Sontag's remarks that appeared in the *Nation*, which ricocheted between being maddeningly arrogant and utterly pathetic. Typical were the comments of writer Daniel Singer, who asserted that communist regimes need not be brutal (well, no, he didn't offer any examples) and then bravely proclaimed that he would continue to "refuse to swallow the cheap, fashionable equation between Marx and the barbed wire." A question for Mr. Singer: Where is such an equation fashionable? Certainly not in the *Nation*. On the page facing his was an advertisement imploring readers to "join the *Nation* this summer on an exciting, affordable Soviet excursion" that includes visits to both Lenin's tomb and his birthplace. The magazine also periodically sponsors vacation cruises to Cuba, that communist paradise which 7000 people fled in three days in 1980 when the Peruvian embassy opened its gates and offered refuge.

Singer was hardly alone in keeping his head firmly entrenched in the sand. Andrew Kopkind noted that in 1968 he visited North Vietnam with Sontag and they shared a bunker against American air raids. "I knew then who the scoundrels were, and who the heroes," Kopkind noted. One may agree with Kopkind that the architects of American imperialism were scoundrels and worse. But when he talks of heroes does he mean the same North Vietnamese leaders who murdered thousands of their countrymen during a land-redistribution program in the 1950s? Or who invaded their communist neighbor Cambodia five years ago and continue to prop up a puppet regime there?

Kopkind's whimsical definitions pale beside those of Philip Green, a member of the *Nation's* editorial board. Green proposed the fascinating thesis that communist governments are preferable to the right-wing dictatorships because "these regimes (e.g., Chile's and Argentina's) are built around the violent suppression of organized labor." At last someone on the left has proposed a dichotomy that rivals in pointlessness the debate on the right over whether it's preferable to be executed by an authoritarian firing squad or a totalitarian one. But perhaps someone should gently waken Mr. Green and clue him in about what has happened to Solidarity in Poland. Not that iron-fisted suppression of labor is new to communist regimes—it dates back to 1921 and the Kronstadt massacre, when Lenin ordered Trotsky and the Russian army to slaughter hundreds of striking sailors. Then again, perhaps it's not worth trying to enlighten Green. For what are we to make of a man who contends that the challenges to authority in Hungary, Czechoslovakia, and Poland were *successful* because they "could only be crushed by direct Soviet intervention or indirect Soviet threats" rather than by a local regime? Green says he found these episodes "exhilarating." It seems likely that the families of the 55,000 who died or disappeared during the Hungarian revolt would choose another word.

Ignoring unseemly realities is certainly not a new pastime of the American left. It has been necessary almost from the first day of the Russian revolution. Virtually the first thing Lenin did after seizing control was establish Cheka, a secret police force. The second thing was to impose total press censorship. The American left winked, and winked again as Stalin killed 20 million of his countrymen. Even today many prominent leftists refuse to be called to account. Lillian Hellman, for one, persuaded her publisher to drop a book by Diana Trilling that contained mild criticism of Hellman's apologias for Stalinist activity here

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and abroad. Then, when novelist Mary McCarthy dared to question Hellman's intellectual honesty, Hellman socked her with a $1.75 million lawsuit—odd behavior for a woman who professes such outrage over the fate of those who spoke up against the House Un-American Activities Committee in the 1950s. Many on the old left who do own up to their mistakes insist that they just didn't realize at the time how profoundly despotic the Communist Party was, but such ignorance can only have been willful. When Congress passed the infamous Smith Act, which made it illegal merely to *be* a Communist, the Communist Party thought it a fine tool for rubbing out Trotskyite dissidents. Only later, when the act was used to threaten more orthodox Marxists, did the party suddenly discover within itself a burning core of civil libertarianism. There was nothing secretive about the Communist Party's ruthlessness. Jessica Mitford once had to clear a visit from her mother with the chairman of the local party; it seems her cell had "a prohibition against personal or political relationships with enemies of the working class." Mitford was worried that she would be expelled if she talked with her mother.

The old left slept through Stalin and Hungary. The new left slept through the Khmer Rouge and Afghanistan. Only a few years ago Tom Hayden, Jane Fonda, William Kunstler, and numerous other leftists refused to sign a statement condemning the hundreds of thousands of murders in Cambodia. Kunstler even went so far as to say he would *never* criticize a socialist regime, although that was already obvious: People who can overlook mass murder can and will overlook anything. When we consider Susan Sontag's words against this background, it is easier to understand Diana Trilling's observation that on the left it "still constitutes an act of moral courage to see and admit the obvious."

Not everything Sontag said *was* obvious, of course. Equating fascism and communism may be a fun way to twit the left, but it is nevertheless imprecise. The two are separate political philosophies that, while sharing some common ground, differ on much. The left has always been disturbingly free in its use of the term fascist against any and all enemies, and referring to communists themselves as fascists is simply the ultimate extension of this practice.

Sontag's other major error reveals a great deal about the way leftists think on foreign policy. She says that the West "bears great responsibility" for what is happening in Poland—because we refuse to face down the Russians. "Landing rights may be denied to Aeroflot at Kennedy Airport," she says scornfully, "tourism opportunities for Polish diplomats stationed here may be restricted, cultural exchanges may be pared. . . . That is the kind of retaliating the Western democracies are prepared to make for the enslavement of Poland. That . . . and a lot of rhetoric."

Hell hath no fury like a reformed leftist. Finally awakened to the fact that Eastern Europe is something less than a liberal democracy, Sontag wants to send in the Marines. The idea of leaving the region to solve its own political problems is discarded without discussion. That's because the left is not fundamentally anti-interventionist; it opposes *American* intervention because it's not likely to be on behalf of "progressive" forces. Now that Sontag has changed her mind about which side is progressive, the most natural thing in the world for her is to lend them some muscle. In the final analysis, leftist talk about "national self-determination" is so much cant. If new cries for American intervention are all we can expect from Rip van Sontag, we'd rather she went back to sleep. ❑

Human rights hypocrisy

A candle for El Salvador

NO ONE REALLY KNOWS HOW MANY tens of thousands have died. New bodies litter the streets every morning. Skeletons and decaying corpses poke out of ruined ground like paleolithic remains. They are the brutal reminders of the savage civil war that rages in El Salvador. They were once part of the landscape in Nicaragua, too, and before long they may come to haunt Guatemala and Honduras.

The Reagan administration can't resist a good fight when it sees one. Having determined that El Salvador is "in our backyard," Washington wants to join in the fray. The latest word is that the administration wants to budget more than half a billion dollars for El Salvador over the next two years—though some news accounts put the figure as high as $800 million. Already the White House has ordered an emergency infusion of $55 million in military equipment to replace losses from a recent rebel attack, and some 1400 Salvadoran officers and troops are now training at Fort Bragg and Fort Benning. More than fifty U.S. military advisers are wandering around in the midst of the war, getting shot at and requesting the right to carry military weapons. The administration, meanwhile, declares that it can't see any parallels with Vietnam.

The problem, of course, didn't start with Reagan. It was Jimmy Carter who first threw American prestige and money behind Somoza in Nicaragua and then, losing there, began pumping arms into El Salvador. One of Carter's last acts before leaving office was to resume arms aid that he had suspended following the shooting of four Americans by Salvadoran soldiers.

Ronald Reagan inherited a bad situation and promptly made it worse. He reduced a complicated historical situation to terms he could understand—the United States versus Soviet subversion—and let loose a barrage of military and economic threats against Cuba and Nicaragua. Fortunately, the Pentagon balked at "drawing the line" (as Haig put it), and the threats became little more than psychological warfare. But the war in El Salvador continued to grow, fueled by massive American aid.

The failure of its strategy so far hasn't prompted anyone in the administration to question its basic premises so far. Instead, according to press accounts, there are plots afoot to unleash the CIA against Nicaragua (a $19 million plan to "destabilize" the regime) in the hope of isolating the Salvadoran guerrillas from their supposed source of arms. (Three days after this report, Reagan had the gall to upbraid the arriving ambassador from Nicaragua for his country's "alarming military buildup," which he deemed unwarranted by events in Central America.) The Pentagon meanwhile is gearing up for possible action in Central America by establishing a "U.S. Forces Caribbean Command" at Key West.

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If Reagan's hostility to Nicaragua has done nothing to strengthen freedom there and much to bolster the anti-American left among the former Sandinistas, Reagan's militance in El Salvador has done nothing to turn the tide or to stem the loss of life. To justify its continued shipments of aid, the administration certified that the Salvadoran government "is making a concerted and significant effort to comply with internationally recognized human rights, achieving substantial control over all elements of its own armed forces." But even the U.S. embassy in San Salvador reported the deaths of 6000 people in 1981 (only 10 percent of them armed combatants), and most human-rights organizations estimate that at least twice that many died—most of them at the hands of government troops and right-wing death squads. As José Napoleón Duarte told the *Los Angeles Times* shortly before he became president of El Salvador, the military "have been told for fifty years to kill communists, and anyone who disagrees with the government is a communist. So that is all they know—to kill." None of this has much impact on Washington, where selective morality is the rule of the day.

"Why does Reagan light candles for Poland's nine dead and complain about Poland's living two months under martial law?" asked one Catholic Church official who monitors human rights from San Salvador. "In El Salvador 30,000 have been killed, and we have been under martial law for two years. Why does he light the candles for Poland, and not for us?"

The administration has a simple, if unreal, answer to that question. As El Salvador goes, so goes the United States. "If after Nicaragua, El Salvador is captured by a violent minority, who in Central America would not live in fear?" Thomas Enders, assistant secretary of state for inter-American affairs, asks rhetorically. "How long would it be before major strategic interests—the [Panama] canal, sea lanes, oil supplies—were at risk?" Caspar Weinberger, secretary of defense, announced on NBC that a guerrilla victory in El Salvador "would make the defense of the United States infinitely more difficult." Sure, Weinberger says our military is in bad shape—but are we so weak now that El Salvador will topple us? Will a tiny country the size of Massachusetts cut off our sea lanes, blockade our oil supplies, and conquer Houston?

THE BEND IN THE TUNNEL

The administration gets away with its fantastic raving because no one has mounted any significant opposition to its policies. Occasionally voices are heard reminding those of us with short memories that the United States became embroiled in Vietnam in precisely the way Reagan now has us edging into El Salvador—first with unarmed advisers, then with armed and active advisers, and finally with troops. Reagan has taken pains to reassure all concerned that El Salvador will be no replay of Vietnam, however "noble a cause" he thinks that may have been. The "liberal media," meanwhile, have supplied hardly a peep of protest. The *Washington Post* supports a continuation of aid so that El Salvador won't go "the Cuban way." The *New York Times*, a bit more agonized about the situation, admits that Congress has "little choice" but to "give some more help." Says the *Times:* "Pulling the plug would forfeit what chance remains for a settlement among democrats on both sides of the barricades, averting another Castroite thorn."

Thus does the *New York Times*, like so many liberals and social democrats, avoid the realities of the situation by calling for "negotiations." A cease-fire and peace talks would be welcome, surely. But let's not fool ourselves that anything would come of them. The government's forces, as Duarte himself noted, equate all opposition forces with communists and are sworn to eliminate them. The left has a reformist and internationally respectable political front, the Democratic Revolutionary Front, but behind them are the mass of hard-line Marxist guerrillas. Even in Nicaragua, where the revolution began as a broad-based coalition that opposed Somoza, the pluralist tendencies of the Sandinistas are rapidly fading from the scene, as press censorship, the arrest of opposition leaders, and the forced deportation of Indian tribes belie the democratic pretensions of the regime. In El Salvador, with Marxists in control from the beginning, pluralist tendencies would never even have a chance to take root in a postrevolutionary state.

The tragedy is that in El Salvador there is no obvious solution, at least for the United States. If the left wins, as now seems more likely, a dictatorship will surely result. But the de facto military dictatorship now supported by the United States is hardly a favorable alternative; its record of brutality is only too well established. Continued American assistance to it will not only continue the bloodshed and once again besmirch our ideals of peace and liberty; it may threaten a wider conflict with Cuba and, by extension, with the Soviet Union. El Salvador isn't a valuable enough piece of real estate to merit the expense of a single American dollar, but the case against U.S. intervention is even stronger in moral terms: Any long-term prospects for prosperity and freedom in El Salvador can only be achieved internally, not through the dictates of outside forces.

We recognize that not everyone holds such a gloomy view of the situation. General José Guillermo Garcia, El Salvador's defense minister, maintained in November that his armed forces were in "total control" of the country and that all reports to the contrary are "subversives' propaganda." We're sure the Reagan administration wouldn't like to be thought of as subversive. Why not, then, agree with the good general, leave matters in his capable hands, and pull out? ❑

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LETTERS

Letters to the editor should be addressed to INQUIRY Magazine, 1320 G Street S.E., Washington, D.C. 20003. The editors reserve the right to edit letters for length when necessary.

Of Poland, El Salvador, and Nazi America

SUE MASTERMAN'S ARTICLE, "Poland: Eyewitness to Terror" [Feb. 15], and your editorial "Warsaw winter" in the same issue did not impress me. It never ceases to amaze me how "journalists" can be so myopic or hypocritical when writing about affairs in socialist countries. Masterman's objectivity is either nonexistent, or she went into Poland with the preconceived notion that "the commies are the baddies" and Solidarity members are the "goodies." *INQUIRY* conveniently forgets the historical circumstances surrounding Polish affairs, especially those of Joseph Pilandski's coup and the bankrupt state of Poland in 1925. Yet you remember those of El Salvador from the Spanish conquest forward, to justify "authoritarian" governments being supported by the U.S. government and to discredit the U.S. left wing as naive and romantic about communism and Marxism. Who is being naive when a supposedly "democratic" Poland was usurped by a fascist military leader between 1925 and 1935? Is Walesa and company above this?

Who is arbiter of "democracy" and "liberty"? Who defines it? Certainly not the United States, with its record of racism, sexism, and discrimination, as well as capitalist repression and terror at home and abroad. As Russell Means said in protesting the conditions of Native Americans—including enforced sterilization, genocide, and malnutrition—"Welcome to Nazi America."

DAVID STEAR
North East, Pa.

Mr. Stear's claim that we somehow endorsed the Salvadoran junta is completely false. Because INQUIRY opposes left-wing tyranny in Poland does not mean it supports right-wing tyranny in El Salvador. We have never advocated U.S. aid to any foreign regimes, whether authoritarian, totalitarian, or something in between.

We would like to listen as Mr. Stear explains to Polish citizens that they must live under military rule because of a coup that took place fifty-seven years ago, or as he tries to convince them that Lech Walesa was planning his own coup. (For further observations on both El Salvador and the left's reaction to Poland, see the editorials beginning on page 3.) No less fascinating would be hearing his explanation, to the thousands of American citizens who came here from Europe during the 1930s, that this country is no better than Nazi Germany. We suspect both arguments would be met with the same response: a horse laugh.

—THE EDITORS

Ronald Reagan's reading

TELL ME: WHEN SHELDON Richman describes Ludwig von Mises as a "libertarian" for whom freedom "includes not only the right of the businessman to be free from regulatory harassment, but the right of every peaceful individual to conduct his personal affairs according to his own lights," ["Bonzo's bedtime reading," Feb. 15], is he talking about the same Ludwig von Mises whose "magnum opus, *Human Action,*" endorses military conscription and denounces all who oppose it as "abettor[s] of those aiming at the enslavement of all"? I don't really find it difficult to believe that President Reagan consults *Human Action* routinely. Perhaps that's where he found the ideological support he needed for his recent decision to continue draft registration. It is the editors of *INQUIRY* who haven't been doing their reading.

BOB BERKEL
Oakland, Calif.

RICHMAN replies: Lacking a natural-rights foundation for his philosophy, Mises unfortunately endorsed military conscription in Human Action. *But this must be seen as a glaring contradiction of Mises's predominant view that voluntary action in the free market is both proper and efficacious. Moreover, Mises's slip on conscription should offer no comfort to the Reaganites. He was a trenchant critic of foreign adventurism, imperialism, colonialism, and war in general, as his 1919 book* Nation, State and Economy, *soon to be published in English by Humanities Press, demonstrates.*

Save Ozzie

MURRAY WAAS'S STORY on Ozzie Myers [Jan. 11 & 25] is a brilliant portrait of an inevitable creature of the state. What kind of person can we expect to be attracted to an organization with the legitimized authority to take people's money without consent and otherwise curtail their liberty? A relatively harmless neighborhood punk finds himself in a position to royally shaft the taxpayers because they are not free to refuse the system that supports him. This is not something mere reformist tinkering can fix.

My only regret is that Ozzie is gone from Congress. His continued "service" would have done good by reminding us what government is.

PAUL BECKNER
Washington, D.C.

Whoops!

Due to a mechanical foul-up on the part of our printer, a few *INQUIRY* subscribers may have found blank pages inside their February 28 issue. We'll be happy to send out replacement copies free of charge to anyone who got a defective issue. Just drop us a postcard and let us know.

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NAT HENTOFF

More First Amendment snapshots

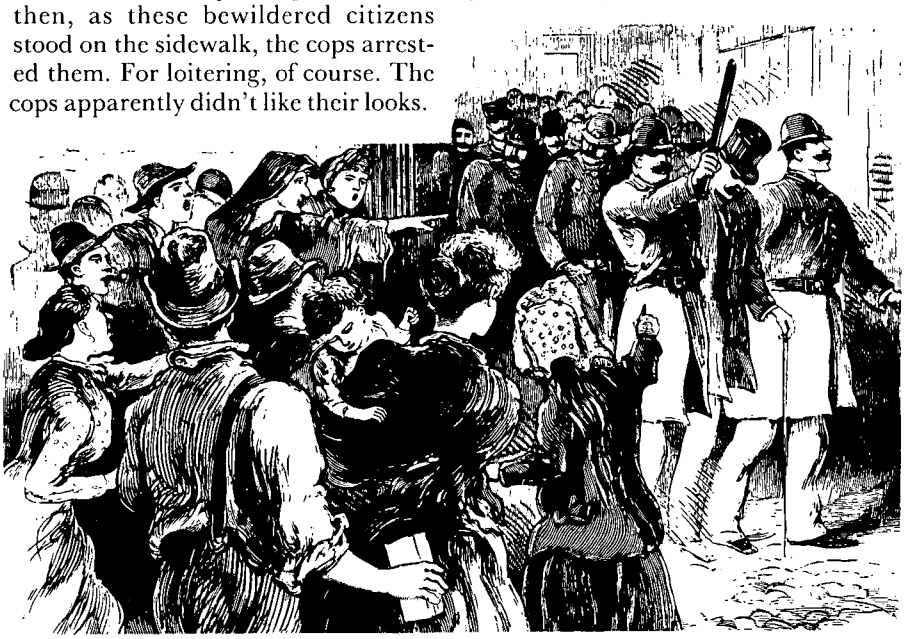
THE FIRST AMENDMENT says we have a "right peaceably to assemble." Followed by a comma, the amendment spells out the additional right "to petition the Government for a redress of grievances." But we can assemble even if we have no grievances against the government. Or, as the Supreme Court said in 1972 in striking down a vague vagrancy ordinance, the right to stand on street corners is "historically part of the amenities of life as we have known them . . . unwritten amenities . . . in part responsible for giving our people the feeling of independence and self-confidence, the feeling of creativity."

Nonetheless, state legislatures and city councils feel compelled, from time to time, to clear the streets of suspicious citizens. These persons are suspicious because they do not stride along purposefully; instead, they stand idly by, planning who knows what mischief.

A customary weapon against such immobile eyesores in public places is the loitering statute. Its implementation is part of the ordinary abuse of the Bill of Rights that I began to explore in my last report on the psychopathology of everyday civil liberties ["First Amendment snapshots," Feb. 28]. These are cases given little notice outside their own communities, but in the aggregate they help explain why most citizens regard the Constitution, if they regard it at all, as an ancient document under glass somewhere. Maybe in a museum in Washington, but certainly not in City Hall.

And certainly not in Baltimore. In that upscale city (as the admen say), the police swept up dozens of people in a twenty-block downtown area during March and April of 1981. Their offense? Well, most of them were standing on street corners. Therefore, the police reasoned, these persons must be either prostitutes or homosexuals looking for companionship.

The Baltimore police were a dedicated lot. One woman, having been busted for standing on a street corner, emerged from the police station, and crossed the street to wait for a bus. There she was picked up once more—for loitering. And some particularly ingenious officers stopped cars, demanded the occupants get out, and then, as these bewildered citizens stood on the sidewalk, the cops arrested them. For loitering, of course. The cops apparently didn't like their looks.



No evidence was offered that any of those arrested were "soliciting," or were doing anything at all, except breathing. However, the police brandished Baltimore City Ordinance No. 1195, which proclaims: "It shall be unlawful for any person to loiter at, on, or in a public place or place open to the public in such manner . . . that by words, acts, or other conduct, it is clear that there is a reasonable likelihood [that] a breach of the peace or disorderly conduct shall result."

Reasonable likelihood to *whom*?

That's one of the questions the American Civil Liberties Union of Maryland is asking in a court challenge to the constitutionality of this ordinance. There is not only a First Amendment violation here, says the ACLU, but how is the Fourteenth Amendment guarantee of due process possible when the language of the ordinance is so vague?

"A person of average intelligence," says the ACLU, "could not reasonably understand what is prohibited by an enactment that forbids standing or remaining in a public place if 'it is clear' [to someone] that his words, acts, or other conduct is reasonably likely to result in a breach of the peace. The person who wishes to obey the law is left to guess at his peril what words, what acts, or what other conduct, coupled with standing or remaining in a public place, may result in his arrest or conviction."

What this does, the ACLU adds in a burst of understatement, is to place "unfettered discretion in the hands of police and prosecutors." Or, as the Supreme Court said of an ordinance in a similar case in 1972 (*Papachristou* v. *City of Jacksonville*): "It [the ordinance] results in a regime in which the poor and unpopular are permitted to 'stand on a public sidewalk . . . only at the whim of any police officer.' "

Unless the courts eventually decide that the First Amendment has standing in the city of Baltimore, prudent visitors there will walk briskly and on

NAT HENTOFF writes a monthly column on civil liberties for INQUIRY. His books include The First Freedom: A Tumultuous History of Free Speech in America.

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no account stand on a street corner—even if they have to cross against a red light.

ANOTHER COMMONPLACE abuse of the Bill of Rights in towns and cities throughout the nation is the strip-search. This abuse may be taken at face value. A law-enforcement person strips you of all your clothes and then searches inside all of your natural openings. Most folks find this a memorably humiliating experience, particularly if they've been dragged in for a traffic violation. Civil-liberties lawyers claim the only possible justification for a strip-search, under any circumstances, is a strong reason to believe the body before them may be concealing contraband or a weapon. Police don't disagree, but they point out that these days, you never know who's hiding what where. So the egalitarian thing for police to do is strip-search everybody they can get their hands on.

Among the usual abundance of strip-search cases in recent months—and many, many more never become cases because the victims would rather forget the whole thing—there is Julie Giles. A substitute teacher in Bonneville County, Idaho, this criminal was hauled to jail for a traffic violation. There she was stripped and poked about. The county and the local sheriff are being sued by Giles with the aid of the Southeast Idaho chapter of the ACLU. The sheriff is puzzled by all the fuss. After all, he says, everybody who goes to jail here gets strip-searched. It wasn't anything personal.

In Rhode Island, a five-year-old girl, part of a group of visitors to an inmate at the Adult Correctional Institution in Cranston, was strip-searched before being allowed to see a prisoner. So were the others with her. The prison authorities say, of course, that it is imperative to prevent visitors from smuggling in weapons. However, since each prisoner is himself strip-searched *after* each visit, why is it necessary to force every visitor to spread his or her cheeks, as the guards command? We may or may not find out through the federal suit that the ACLU of Rhode Island has brought on behalf of the five-year-old and her companions.

Schools are not exactly the same as prisons, despite some of the 1960s rhetoric to the contrary, but an increasing number of strip-searched kids may disagree. In a Jefferson County, Kentucky, elementary school last November, it was discovered that $4 was missing from a teacher's drawer in a third-grade classroom. The teacher and some of her colleagues, determined to get at the thieving root of the matter, strip-searched ten of the pupils. Their parents are now suing.

One such court action has ended, with rather dismaying results. In junior and senior high schools in Highland and Crown Point, Indiana, a drug sweep took place a couple of years ago. Without warning, without search warrants, and without probable cause to suspect any student of any violation, all the students in those schools were locked into their classrooms for two and a half hours one memorable day. They were then searched by teams of police dogs, supposedly trained to identify marijuana. As some police guarded the doors, other law-enforcement figures and the canines—accompanied by school officials—went from room to room and desk to desk.

Fourth Amendment considerations aside, a problem with four-legged cops is that dogs paw suspects not only when they smell marijuana but also when they get a whiff of candy or the scent of the kids' own pets. Nonetheless, with total, touching faith in the dogs, the cops acted on each signal by an accusatory snout and forced the suspects to empty their pockets or purses. If no contraband were found, clothes—particularly underclothing—was searched. And, reports the Indiana Civil Liberties Union, "Some students were required to disrobe completely and undergo a full strip-search by police officers."

In federal district court, the judge found that all the adults involved had acted within the Constitution, except for the strip-searching of one young woman. (She had been the only student thus violated to decide to endure further publicity by filing suit.)

The Seventh Circuit Court of Appeals also agreed that none of the liberties and rights of the students had been abused, except for that girl who, the court said, could recover damages from the body search. It did "not require a constitutional scholar," the opinion noted, "to conclude that a nude search of a thirteen-year-old child is an invasion of constitutional rights of some magnitude."

A common abuse is the strip-search. A policeman removes your clothes and inspects all natural openings. Cops claim this is necessary. So they strip-search everybody they can get their hands on.

But the other warrantless searches, including strip-searches, the placing of kids under arrest in the classrooms without probable cause, and the unleashing of the dogs, were okay.

Finally, the Supreme Court was asked to review the case. It declined. Justice William Brennan dissented, and in one of his most passionate dissents, he wrote:

> We do not know what class petitioner was attending when the police and dogs burst in, but the lesson the school authorities taught her that day will undoubtedly make a greater impression than the one her teacher had hoped to convey.
>
> I would grant certiorari to teach petitioner another lesson: that the Fourth Amendment protects "the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures," and that before police and local officers are permitted to conduct dog-assisted dragnet inspections of public school students, they must obtain a warrant based on sufficient particularized evidence to establish probable cause to believe a crime has been or is being committed. Schools cannot expect their students to learn the lessons of good citizenship when the school authorities themselves disregard the fundamental principles underpinning our constitutional freedoms.

That last line echoed a 1960 opinion by the Court that apparently only Justice Brennan now adheres to: "The vigilant protection of constitutional freedoms is nowhere more vital than in the community of American schools."

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THE COURT HAS MADE similarly bold and liberating proclamations in the past. Like Justice Abe Fortas's unequivocal assurance in the 1969 *Tinker* case that "It can hardly be argued that either students or teachers shed their constitutional rights to freedom of speech and expression at the schoolhouse gate." Yet, when students try to apply these High Court guarantees to their First Amendment rights as school journalists, they find that many, many principals are exceedingly reluctant to allow the Constitution into their buildings. There have been hundreds, maybe thousands, of fights on these grounds since 1969. The principals win some, and the kids win some.

In one recent confrontation, James Douglas DeCamp—son of Cincinnati newspaperman Graydon DeCamp—scored a victory for the First Amendment rights of student photographers. The eighteen-year-old had been freely taking pictures inside Mariemont's high school—some of which had been published in the *Cincinnati Enquirer*—until the teachers went on strike.

The principal of the school thereupon ordered DeCamp to no longer release any photographs to the media without official approval. The student considered this an abridgment of his First Amendment rights, and went on taking pictures. His photographs showed scenes inside the school contradicting the principal's public assurances that despite the strike, everything was perking along normally in the classrooms. One DeCamp photograph, for instance, showed one student fast asleep while another fought boredom with a yo-yo.

Enough, said the principal to DeCamp. If the boy took any more photographs inside the school without prior approval, he would be in danger of suspension and arrest, and he might also not be allowed to graduate. At a later point, the high-school journalist was given a formal warning of suspension because he had photographed substitute teachers leaving the school. DeCamp thought he was taking these shots from a vantage point that was not on school property. The principal disagreed, and once more threatened him with arrest.

In federal district court, Judge S. Arthur Spiegel pointed out that "the policy before the strike with regard to students taking photographs was open and unrestricted." With that precedent, the school had opened up a forum, protected by the First Amendment, for this form of student expression. The principal couldn't close down the forum just because he disapproved of the pictures now being taken by DeCamp unless the actual photographing disrupted class work. There was no such evidence. Therefore, there could be no prior restraint.

What about the possibility that this kid's photographs might stir up the parents or otherwise cause a ruckus? Said Judge Spiegel, "Fear or apprehension of disturbance is not enough to overcome the right to freedom of speech and expression." Good Lord, if adult newspapers were to be subject to censorship on the likelihood that their stories and pictures might rile up the populace from time to time, only *People* magazine would be safe.

In sum, said the judge, Douglas DeCamp has the same First Amendment rights in this context as he would if he were working for a grown-up sheet. Presumably, then, if cops and dogs had invaded *his* high-school classroom in a dragnet marijuana search, DeCamp could have snapped away. But can you strip-search a journalist while he's doing his job? I expect you can, so long as you leave his hands free.

If this survey of the daily rhythms of civil liberties seems imbalanced on behalf of civilians, it is worth noting that one of the newest in the ACLU series of handbooks is *The Rights of Police Officers*, published by Avon. Provocatively, the cover asks: "What Are Your Responsibilities? What Are Your Rights? Do They Ever Conflict?" And among the thoroughly researched chapters are discussions of cops' First Amendment rights, the extent to which their private lives are no business of their employers, and the legal limitations on their use of force.

Recently, the entire Billings, Montana, police department placed an order with the Mountain States Office of the ACLU for fifty copies of the new book. This may have something to do with the increasing activities of the Mountain States ACLU office, like the establishment in Omaha, Nebraska, of a center to screen and act on complaints of police brutality. The new center has already filed its first federal case on behalf of several residents of a public housing project who charge abuse by cops responding to a call.

Next time, they may come with an underlined copy of *The Rights of Police Officers*. But that's okay. It only comes in a softcover edition.

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POLITICS

JACK SHAFER

Free enterprise for the favored

*WHEN THE BRITISH ECON-*omist Stuart M. Butler floated the urban-enterprise-zone concept across the Atlantic, an unlikely pack of politicians stepped forward to welcome it. Ronald Reagan stumped for it during his 1980 campaign when he visited the photogenic blight of the South Bronx. Big-city mayors from both parties endorsed the idea; a coalition of the National Urban League, the NAACP, and segments of organized labor rallied around it. A pair of New York congressmen—Republican supply-sider Jack Kemp, and Democrat Robert Garcia of the South Bronx—stitched a version of the enterprise-zone idea into a bill that Reagan praised as a solution for urban areas stung by the cutback of his New Federalism.

The enterprise-zone idea had its earliest incarnation in the work of Fabian socialist Professor Peter Hall of the University of Reading in England. Hall, having visited tax-free trade zones in Asia, was impressed by their economic vitality. In 1977 Hall proposed "freeports" in depressed areas of the United Kingdom where across-the-board elimination of regulations and taxes would spur incentive and rebuild the inner cities. The Thatcher government latched onto the idea, but for the sake of political expedience repackaged Hall's radical proposal into a much more modest reform of tax write-offs and relief from red tape. The British enterprise zones were designed as an experiment to boost private-sector development of vacant areas in cities. The first of them were set up in the summer of 1981, and it is still too early to judge their success.

An assortment of American think-tank scholars and congressmen weighed in with enterprise-zone proposals of their own here. Stuart Butler's paper, published by the Heritage Foundation, a conservative think tank with close ties to the Reagan administration and other supply-siders, got the most attention. Butler's zones differed from the British ones in that his were designed as urban-renewal schemes for populated neighborhoods, not vacant industrial sites. The bills of other legislators faded as Jack Kemp and Bob Garcia translated Butler's ideas into legislation and built strong support for it in Congress. The Reagan administration is working closely with Kemp and Garcia, offering its own modifications, and the bill has a good chance of passing this session. The idea is spreading to statehouses and city halls across the country, and many of them are fashioning legislation that will complement any enterprise-zone bill that comes out of Washington.

The significance of the rise of the enterprise-zone idea in America was that it signaled the end of over four decades of wrongheaded urban policy. Nearly every single urban-policy initiative by the government had been discredited in both parties. Massive urban-renewal schemes razed entire blocks, destroying whatever social cohesion that existed in the first place, and in many cases, like Benton Harbor, Michigan, built nothing at all after the wrecking ball finished its job. Welfare programs drew unskilled rural populations into the cities. Zoning restrictions prevented the rapid adaptation of deteriorating neighborhoods to new productive uses. Grant programs from HUD and other agencies squandered valuable resources on upper-income housing and fancy downtown hotels. Jimmy Carter's exhortations to rebuild the South Bronx "brick by brick and block by block" suddenly began to fall on deaf ears. Even the most ardent of the 1960s urban planners conceded that their schemes to rebuild the inner cities hadn't worked. Something new was called for. That something new became the enterprise zone.

In championing the enterprise-zone idea, even liberal Democrats were finally surrendering the conventional wisdom that the government could create wealth, industry, and stable neighborhoods by bombing the cities with tax dollars. Suddenly, they were calling for a reduction in bureaucratic red tape, red tape which liberal Democrats had raveled in the first place. Now Republicans *and* Democrats were willing to reduce taxes in zones to test their suspicions that taxes hobble incentive. (It was strangely, but conveniently, forgotten who had originally increased the taxes.) In their new wisdom the lawmakers called for a reduction in regulations in their new-fangled zones because they now suspected that regulations kept businesses more occupied with pleasing government inspectors than customers. Even licensing laws and zoning provisions came under attack. The most daring enterprise-zone advocates called for repeal of minimum-wage laws—laws which say, in effect, that it is better to be unemployed at $3.35 an hour than be employed at $2.50 an hour.

But in the end the enterprise-zone designers failed. They believed too little in their new wisdom. Instead of eliminating regulations, they shuffled regulations; instead of slashing taxes, they trimmed a few of them.

The original Kemp-Garcia enterprise-zone bill was introduced in 1980 and didn't make it out of committee. One reason was that it said enterprise zones would be established only in areas where state and local taxes were cut. The states and cities fought back; they needed every single tax dollar, they said—and besides, many state constitutions forbid the establishment of preferential tax districts.

So the 1981 version of Kemp-Garcia took another tack. The federal government would go ahead and establish enterprise zones, and then it would be nice, but not compulsory, for states to figure out a way to cut taxes in them. The new bill also contains a set of "suggestions" on what building codes, zoning restrictions, and other regulations should be repealed or modified. Most of these are outside the scope of federal authority.

The new Kemp-Garcia bill contains some other alterations, most of them in response to political pressure. The 1980 bill had included a reduction in social-security taxes, but in the 1981 version the goring of this sacred cow is not attempted; instead a refundable tax credit of up to $1500 per worker for both employers and employees has been written in. The newer bill cuts the number of zones that could be created from an unlimited number to

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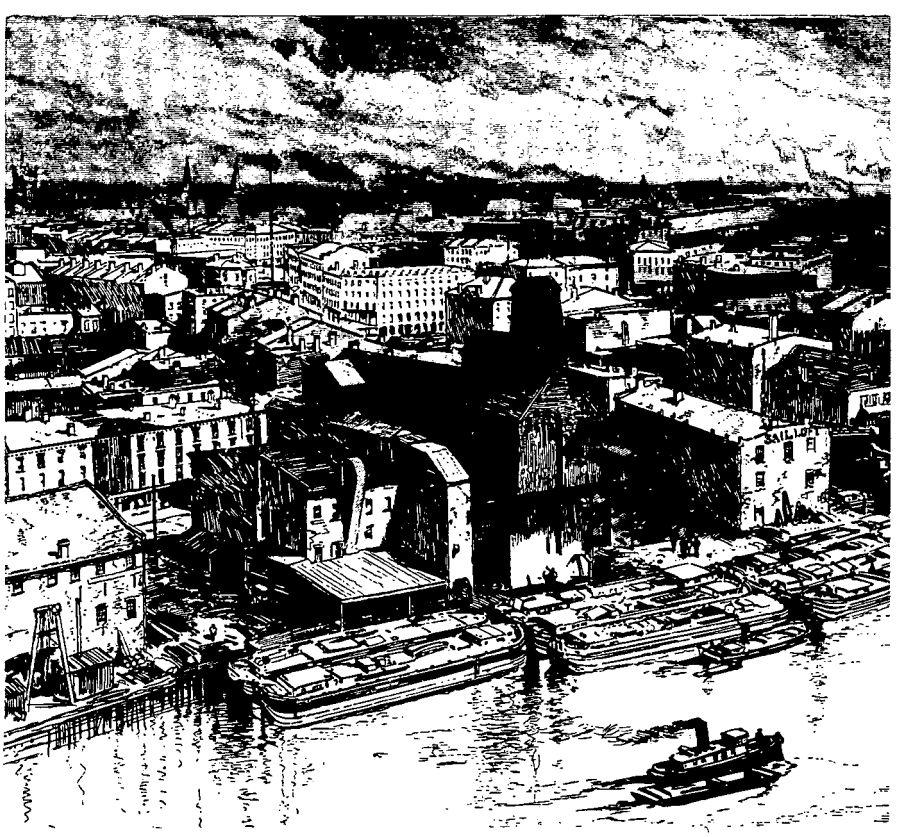
twenty-five each year. It also abandons the accelerated, three-year straight-line depreciation for buildings, vehicles, and equipment. This tax break would have allowed businesses to write off most of the costs of setting up shop in three years, but critics of the plan attacked it because they thought that it would attract capital-intensive firms instead of the more politically desirable labor-intensive ones. The new Kemp-Garcia bill includes no accelerated depreciation of investments, leaving any firm that located in a zone only the standard 10-5-3 depreciation schedules established last year in Reagan's new tax package.

Skeptics charged that big businesses would use the zones as "tax laundries" for outside-the-zone operations. Others worried that zones would attract high-tech businesses that would import all but janitors and guards from outside the zone, so Kemp-Garcia stipulated that tax credits only be given to firms that hired a minimum of 40 percent of their work force from the government-defined "poor." (The *Village Voice* didn't think this was enough. It called for a certain percentage of the total payroll to be pledged to the poor.) Others fretted that businesses already in the zone would reap some unfair advantage. Some wanted landlords to be forced to pass their tax savings along to renters. One study showed that the program so depended on tax incentives that it would only be of use to businesses already earning a profit and of no use to new ventures by small businessmen. Others pointed out that less tax and regulation was fine, but crime and the lack of a solid business infrastructure kept most businesses from flourishing. But behind most of these objections lurked a fear that enterprise zones *just might work*. Some worried that property values would go up inside the zones and poor people would be forced out as gentrification took place. If the zone worked, then bordering communities would clamor to be zoned and a "greenline" of prosperity and tax advantages would grow and put the government in the sticky position of having to decide whom to include inside the prosperous greenline and who would have to suffer outside the greenline. (Oddly, welfare-state promoters have never been troubled by the similar greenline that determines who gets food stamps or other government handouts and who does not.)

Why should a company in the South Bronx get a tax break that no other business is entitled to?



QUICKLY, ANY POTENTIAL dynamism of the enterprise-zone idea was gutted here by social engineers from both parties, just as the British version had been. The various enterprise-zone proposals provide a graphic demonstration of how the world of politics can tinker a good idea straight to hell. While one hand of the lawmakers wiped away all the regulations and taxes of the welfare state, the other hand piled only slightly reduced regulations and taxes onto the enterprise-zone idea and thereby began to reinvent the welfare state from the ground up. For instance, the Kemp-Garcia bill scrupulously avoided eliminating one of the most intrusive bits of federal regulation, the overseers of OSHA. "Bob Garcia worked for fifteen years to put those regulations in place," one of his aides said. "He's not going to sign off on anything that would dismantle them." When the Reagan administration's enterprise-zone proposal was unveiled, urging the repeal of minimum-wage laws in the zones, both Kemp and Garcia flipped. Garcia threatened to "walk away" from any such bill. Debate increasingly veered away from the original premise—revitalizing industry by reducing governmental burdens—and veered into the political questions of how to legislate enterprise zones that didn't upset the status quo. And with the addition of a provision that would limit the life of a zone to between ten and twenty years (at that point it would return to the tax rolls), it became clear that the government was beginning to see the zones as investments that it could cash in on later.

Largely overlooked in the political debate have been some bona fide questions about the nature of enterprise zones. For instance, why should a company that does business in the South Bronx get a tax break that no one else is entitled to? The answer is that Robert Garcia is the congressman from the South Bronx. Each of these enterprise zones will be allocated in

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the same way—that is, to the political territory of some influential legislator. Fiscal sense and financial judgment will have nothing to do with it; government has no understanding of where to locate a successful business or how to run it at a profit. It has never had to. Its understanding of business is to carve up monopoly territory for postal delivery and mass transit and then run these businesses as models of inefficiency and loss. With such business acumen how can the government promote any enterprise-zone area without blushing? The only stake the government has in locating the zones has been political, and the zones will go where there is the most political capital to gain.

Enterprise zones, if not exactly traditional pork-barrel legislation, are in the same vein of social engineering that has caused many of the major ills of our cities. It is simply a new way by which the government seeks to reallocate resources to places ill-suited for them. The basic reasons behind the establishment of enterprise zones make wonderful sense—but why should these principles be restricted to the South Bronx? If we agree that regulation and taxes strangle business, why should we ease the pressure only in a few favored political fiefdoms? It would have made as much sense, pragmatically and morally, to combat slavery in the old South by establishing a dozen slave-free cities.

Likewise, the creation of a few jury-rigged islands of slightly freer commerce in our cities will do little to rebuild them. In fact, enterprise zones may even be dangerous—because when they fail, critics will ignore the fact that the zones still contained an enormous amount of regulation and restriction. They'll simply say that free enterprise failed, just as they have with Ronald Reagan's ill-conceived plans to run a slightly less expensive version of the welfare state.

Enterprise-zone advocates in Britain and America have done us all a favor by pointing out once again that it is the market that creates wealth and the government that impedes the creation of wealth. They have significantly redrawn the perimeters of public debate on taxation and urban planning. But the enterprise zones envisioned by Kemp, Garcia, and the rest are as likely to unleash the productive power of our cities as the next Soviet five-year plan for agriculture is to unleash the USSR's grain production. ❑

CORPORATE STATE

PAUL LOEB

Going broke on atoms

"IF THESE REACTORS ever get abandoned," explained a young pipefitter who worked on them, "they'll probably turn the cooling towers into condominiums. They already have their balconies in place and ready to go."

It was 1979 when he said this. I thought it was just another of the flip wisecracks that were the lifeblood of the young workers building three reactors at the Hanford Nuclear Reservation in the eastern Washington desert for the utility consortium called the Washington State Public Power Supply System (WPPSS). With $4 billion already spent on these plants, along with two others 200 miles to the west near the Olympic Peninsula town of Satsop, how could any not be completed?

Now, two and a half years later—and a year and a half after a newly hired WPPSS director warned that if the projects weren't rapidly brought on line "it could mean the end of the nuclear industry in the U.S."—the pipefitter's prediction may be coming true. Three top executives brought onto the WPPSS board for their financial expertise—Edward Carlson, chairman of United Airlines; Mike Berry, former president of Seattle First National Bank; and Charles Luce, chairman of New York's Consolidated Edison Company—have resigned, charging that the WPPSS managerial structure was "virtually unworkable." The construction of two reactors, one at Satsop and one here at the 570-square-mile Hanford Nuclear Reservation, has been terminated in a chain of events that may lead to a massive default on debts and contracts. Even the other three reactors, secured under special legislation by Northwest electric ratepayers, are judged by departing United Airlines head Carlson to be in serious trouble. The resulting mess threatens the financial solvency of the whole Pacific Northwest. And it illustrates why WPPSS is known, to friend and foe alike, as "Whoops."

The godfather of these projects is the Bonneville Power Administration (BPA), formed in the 1930s to market the electricity from a series of dams, including Grand Coulee, which the government was building along the Columbia River. BPA sold its power first to public utilities, next to directly contracted industries like the major aluminum producers who moved to the region at its invitation, then to utilities in less hydro-wealthy states like California. In the late 1950s Washington utilities decided that the growing need for power would eventually outstrip the facilities of existing dams. They formed WPPSS in 1957 as a consortium of public utility districts and municipal power systems, proposing to produce their own power and distribute it over the existing BPA transmission grid. They constructed a small dam at Packwood Lake in the southern Cascade Range, and when the government built a new Hanford reactor to produce plutonium for atomic warheads, they added a turbine complex to generate electricity from the otherwise wasted excess heat.

For years these two projects were the sole WPPSS facilities. But curves of projected energy use continued to rise, along with assumptions of future prosperity and growth, like escalators to the stars. In 1969 a newly established Northwest power council asked WPPSS to sponsor three nuclear plants. WPPSS's twenty-three member utilities and eighty-two additional public and private utilities in Washington, Oregon, California, Idaho, Montana, Nevada, and Wyoming responded by investing in what would end up becoming five reactors. They drew up a law called a net-billing agreement that Washington Senator Scoop Jackson lobbied through Congress in 1970. It guaranteed bonds on the first three

PAUL LOEB is a free-lance writer living in Seattle. This article is adapted from his book, Nuclear Culture: Living & Working in the World's Largest Atomic Complex, *to be published next month by Coward, McCann & Geoghegan.*

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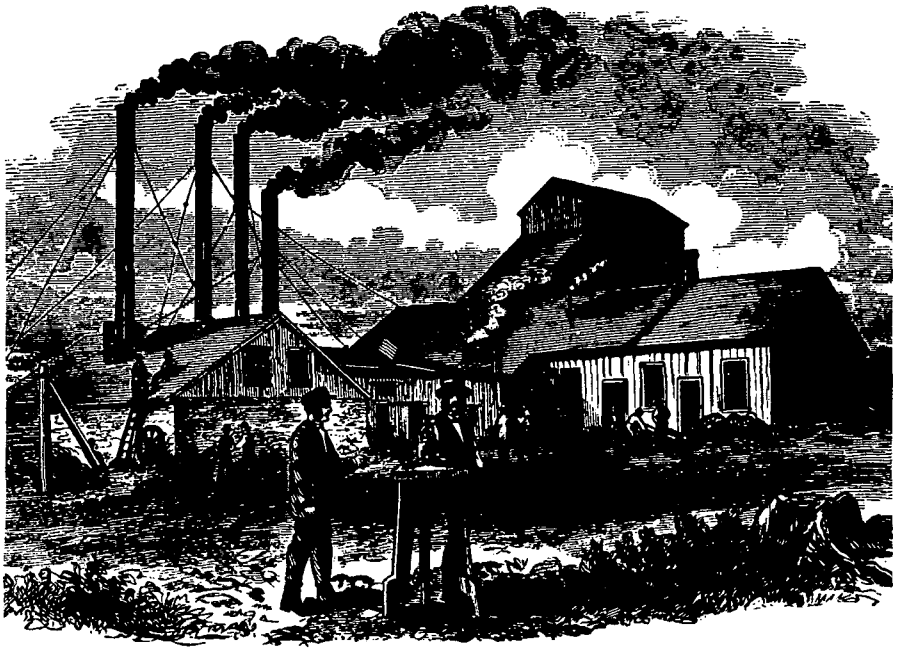
reactors by mandating that participating utilities pay for all costs (through the BPA) even if the plants never yielded a single kilowatt.

When construction was first begun, things seemed fine. There was a bit of opposition at Satsop and none at Hanford, a complex built to produce plutonium for the Nagasaki atomic bomb. Nuclear boosterism still runs high there; kids from the local high school sport miniature mushroom clouds on their football helmets, pep-club pennants, and graduation programs. And if there were few pesky antinuke demonstrators, there were fewer still fiscal Cassandras worrying about the cost. The debts for the bonds would not come due for years.

But even as nuclear critics began to raise fundamental questions regarding safety risks, the WPPSS reactors turned out to bring quite the opposite of economic miracles. The original WPPSS budgets, drawn up in the early 1970s, projected a cost of $4.1 billion for all five plants and scheduled the first one to come on line in September 1977. By 1978 the total cost for all five was $8.8 billion, with a start-up planned for December 1980. By 1981 the cost estimate had jumped to $23.8 billion, and it would be at least 1984 before WPPSS would generate a single watt of power. It's tempting to compare WPPSS to an *Alice in Wonderland* character, except that instead of running constantly to stay in the same place, the projects fell further removed from completion each year. Every time the cost estimates rose, WPPSS had to sell more bonds to cover the debt—and an increasingly skeptical public demanded higher and higher interest rates.

The bonds began falling due in 1977, when the first reactor was scheduled for completion. And even though the reactor wasn't finished—which meant it wasn't generating any electricity to sell—bond payments still had to be made. Those payments didn't come out of the salaries of WPPSS executives or administrators; instead, they came out of the pockets of BPA ratepayers. BPA simply jacked up the prices it charged for electricity; after only three minor price hikes in forty years, BPA announced successive 88 percent and 53 percent increases in one disastrous six-month period. Electric bills are projected to rise fivefold within the coming decade. A family of four in a utility district committed to all five reactors is now responsible for a median indebtedness of between $27,000 and $30,000 for WPPSS construction costs alone. A study commissioned by a dissident state legislator looked at the total WPPSS tab: not just construction expenses but also those for fuel, operation and maintenance, insurance, taxes, routine repairs, waste disposal, plant decommissioning, and the costs of interest on the bonds, with a modest 8 percent inflation rate factored in. The total cost was $200 billlion, more than NASA spent between the first orbital space flight and the moon landing. Instead of bringing the Northwest unlimited cheap power, the WPPSS reactors threatened to make light bulbs a luxury item.



What are the roots of these unprecedented cost escalations and endless delays? The view of the craftsmen directly working on the projects is encapsulated best in a mythical WPPSS board game created by a young Hanford laborer named John.

The game, John explained in the letters column of the local paper, is based "on Monopoly, Easy Money, and (unfortunately) on the game of Life." Players, pretending to be members of the WPPSS board of directors, receive unlimited expense accounts and unlimited taxpayer-financed credit lines. Since the winner is the one who spends the most, "any display of competence, even if it's accidental, is severely punished."

To illustrate the game, John described a hypothetical contest between himself and John Doe. Doe moves first, landing on "Dinner and drinks with Senator Magnuson." (The letter was written before Magnuson was defeated in the 1980 election.) He pays just $600 and curses his bad luck. John hires Spencer Bishop (a prolific writer of cranky letters to the local paper) as a public-relations consultant, spends $50,000, and announces rate increases. But Doe strikes it big, landing on: "NRC [Nuclear Regulatory Commission] forces redesign of containment vessel. Cost $230 million. Announce rate increases and move back three spaces. . . ."

"There are ten NRC spaces," John's letter went on to explain, "the least expensive of which costs $27.5 million. All NRC spaces send the player three steps back. With any luck at all, the NRC will halt your progress entirely, costing you billions of dollars."

Finally, John draws a "Distribute the Blame" card that gives him the choice of blaming a rate increase on construction unions and accepting a $5000 raise for himself, blaming the NRC and accepting a $10,000 raise, or blaming a depressed bond market and accepting $15,000. "In classic WPPSS form," he wrote, "I blame all three and accept $30,000."

Aside from reflecting worker cynicism, the game captured accurately the range of explanations for WPPSS failures. The official WPPSS press kit charged regulatory requirements with causing half of all the delays and cost escalations, and inflation with causing 30 percent. Strikes and "schedule extensions" accounted for most of the rest. The inspectors did come in, as John said, to make you go back three

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spaces and soak you with $10 million, $20 million, or $200 million worth of mandatory design changes. And in the words of the local labor-council head, they gave the WPPSS engineers "a constantly moving target."

But with any new technology, safety standards are constantly evolving. When construction lasts ten years (during which time vulnerabilities in the nuclear industry are continually being challenged), necessary modifications inevitably will delay project completion. And although safety regulations affect all atomic plants, the WPPSS crisis remains unprecedented.

The contractors testified that their problems weren't caused by labor. Shoddy management and design often left, as one union leader put it, 'a bunch of $150-a-day men standing around pitching pennies.'

Most Hanford veterans blame not only the regulators but also labor: the young workers who spend their up-to-$20-an-hour salaries on Porsches, cocaine, and $200-an-ounce Colombian grass. These atomic boomers, many of whom have spent their lives roaming from one mega-scaled construction project to another, mark their detachment from the projects through creations like the WPPSS game or creative graffiti. Typical is "WPPSS needs Lerts. Be a Lert," or "I fucked the company. The company fucked WPPSS. WPPSS fucked the government. And the government fucked me." The workers savor the situation's absurdities by regarding it all as an exquisite joke. And if they do have reservations regarding atomic energy in general, they bury them by assuming that, in the words of one pipefitter, "the reactors will get built—or maybe endlessly delayed—whether or not I work on them and get my fair share of the bucks going round."

In fact, the young WPPSS hands are not much less productive than their peers working other jobs for little love all across America. And when the state senate finally held hearings, contractor after contractor testified that the problems were caused not by the labor force but by shoddy management and engineering, which left, as one union leader put it, "a bunch of $150-a-day men standing round pitching pennies."

Since Senator Jackson's infamous net-billing legislation committed ratepayers to cover all costs, no matter how high, the WPPSS projects operated without any day-to-day financial limits. With most contracts drawn up on a cost-plus basis and not subject to effective financial checks, the more contractors spent the more they made. Nearly every major contractor overran his initial estimates by $100 million, and $300 million overruns were not unheard of. It didn't help matters that the WPPSS board, which represented more than 100 local constituencies, used the projects for a kind of political patronage. While most nuclear plants have three contractors, there were forty-five to sixty-five at each of the WPPSS reactors. Poor coordination thwarted even those trying to do their best. Contractors routinely set up equipment in a given sector, only to pull it down so cranes and materials of some other contractor could be moved through for work elsewhere. Divisions between different employers left crews standing idle, unable to help others performing identical tasks. Installed systems were removed as many as seventeen times for modifications.

There are those who suggest WPPSS would have been fine had its board members been not the sheep ranchers, muffler-shop owners, and realtors elected to head the largely rural public utility districts, but rather experienced corporate managers. Most attempts to control the projects did resemble trying to lead a herd of rhinos by grasping hold of their cars—and the public utility districts did indisputably end up gored. But given the structure of WPPSS and its lack of financial accountability, it could hardly have been otherwise. Moreover, the nuclear industry is hardly rife with fiscal conservatives who know how to meet a budget—they nearly always work with huge taxpayer subsidies in one form or another. And to the degree the crisis was specific to WPPSS and the Northwest, it was a creature of decisions made and endorsed by leaders from both government and industry.

The construction halt on the last two WPPSS plants had its immediate cause in the system's massively overextended borrowing. WPPSS is something of a legend on Wall Street. It has sold more tax-exempt revenue bonds than anyone in history. Its $7.7 billion in long-term debt is more than New York City owed in 1975 when it was teetering on the verge of bankruptcy. Because its bonds were increasingly saturating the market, and because the borrowing seemed endless and the energy payback was continually postponed, a number of brokerages commissioned major studies on the security of this particular investment that they were promoting.

Their reports, written in 1980 and 1981 by a group of young securities analysts at Merrill Lynch Pierce Fenner & Smith, at Drexel Burnham Lambert, and at Wertheim & Co., doubted whether the participating WPPSS utilities could absorb the ever-increasing debt to which they were committing themselves. They doubted whether the Northwest should build plants whose cost cancelled out the advantages of cheap power that had attracted industries to the region to begin with. And they doubted whether the additional power, whose sale WPPSS assumed would eventually repay all costs, would even be needed at all.

For those in charge of WPPSS construction, problems had of course been building long before the critical reports were released. Contracts would be readjusted, completion dates pushed back, and another $1 billion to $3 billion added to the budget. Then the WPPSS heads would travel, once or twice a month, to hold special luncheons with American Express investors at New York's Downtown Athletic Club, with Hartford insurance executives, with portfolio managers at Boston's Parker House, and with various midwestern financiers at the Chicago Club. There they would line up another $150 million to $200 million of bond buyers, in the process putting bigger and bigger liens on the future of

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Northwest ratepayers. The interest rates at which investors could be convinced to participate kept rising: from 6 percent on the bonds sold in 1978 and 1979 to between 10 and 12 percent on those sold in late 1980. (Those interest rates are all the more astonishing because they're on bonds that are tax-exempt—but the interest is almost as much as it would be on taxable bonds.) Although the directors worried about accepting such a debt load, no other sources existed for the necessary money.

The $23.8 billion cost estimate came in May 1981, just nine months after a former deputy assistant secretary of energy named Robert Ferguson had arrived as a new, "get tough" WPPSS head. With the estimate $4 billion higher than anyone had previously suggested was possible, WPPSS would have had to borrow $3 billion in the coming year and billions more later. A substantial percentage of this would have been to finance plant 4 at Hanford and plant 5 at Satsop. The resulting interest load threatened the already shaky solvency of all five projects.

The Drexel Burnham and Wertheim reports were already released by this point, and the conclusions of Merrill Lynch were also known. On May 26, 1981, Ferguson suggested that a one-year moratorium on plants 4 and 5 would allow WPPSS to complete the other three and solve its financial crisis.

Just as the WPPSS debt was unprecedented, so there existed no parallel to the notion of two multi-billion-dollar reactors abandoned in midconstruction due to lack of money. But the funds for continued progress simply weren't there. The WPPSS debt load already staggered Northwest ratepayers. After the WPPSS board held several weeks of desperate conferences (including one session in Oregon to avoid Washington's open-meeting law), they accepted Ferguson's recommendations and agreed to a two-and-a-half-year construction halt.

WPPSS management hoped to use this time to concentrate on building the first three plants and to pressure the Bonneville Power Administration to purchase plants 4 and 5 outright. They hoped to spread the costs among all Northwest utilities including those who'd declined to participate beyond the first three reactors. But a federal law that the utilities themselves had lobbied through Congress in December 1980 prevented BPA from committing itself to any new power plants until the April 1983 completion of a study on energy needs. To "mothball" the two reactors and maintain them in limbo until this date, the utilities had to raise $150 million from their own internal resources. And when a number of them refused to go along, WPPSS had no choice but to kill the projects.

The system's directors publicly sounded the death knell last January 22, vowing to pay all debts to avoid destroying their own credit, not to mention that of every other governmental agency in the Northwest. They hoped outside purchasers would buy the reactors, mentioning some Japanese consortiums as hopeful possibilities but hearing no word from real-estate developers. If this failed they would sell individual components piece by piece.

Even with federal guarantees, the first three plants are by no means certain of completion, and the ultimate disposition of 4 and 5 remains to be seen. Although there will almost certainly be many lawsuits, most contractors have done quite well with these projects they've built in the citizens' name and with the citizens' money. Northwest residents are already paying the bills—through financial indebtedness, through biological risk, and through loss of control over regional destiny—for the dreams of endless kilowatts inspired by the magnificence of the mushroom clouds. Perhaps a lesson worth learning is that bills, sooner or later, come due. ❑

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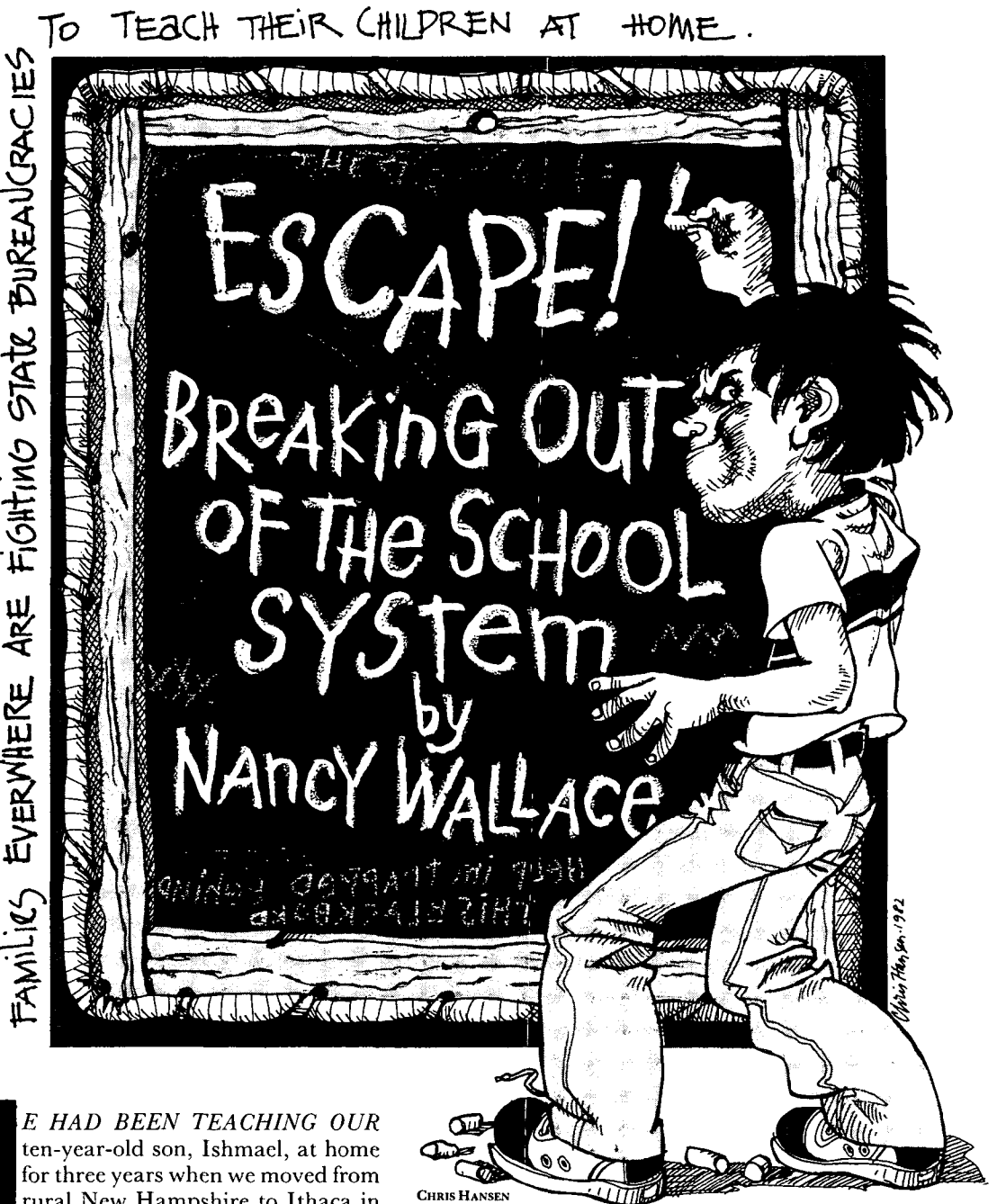
FAMILIES EVERYWHERE ARE FIGHTING STATE BUREAUCRACIES TO TEACH THEIR CHILDREN AT HOME.
ESCAPE!
BREAKING OUT OF THE SCHOOL SYSTEM
by
NANCY WALLACE

CHRIS HANSEN

WE HAD BEEN TEACHING OUR ten-year-old son, Ishmael, at home for three years when we moved from rural New Hampshire to Ithaca in upstate New York. As for Ishmael's sister, Vita, who was six, she had been learning right along with the rest of us since the day she was born. My grandmother was thrilled with our move. "Nancy," she said, "you are moving to a town where education is *big* business. Surely you'll find excellent schools for the children."

She was right. Education is big business here, with a major Ivy League university sitting on one hill, a well-respected liberal-arts college on another, and a community college somewhere in between. And with all those institutions of higher learning come the professors who are willing to pay the taxes necessary to insure that the schools they send their children to are of the highest quality. But at least for the time being, we weren't interested in the schools. As my husband, Bob, said, "I can't imagine sending Vita and Ishmael off to one of those massive brick buildings every day when we're living in a community that is so full of other opportunities for children." And it's true—the quality and the variety of the resources here for children are incredible. As soon as we moved I found myself racking my brains over which of four ballet schools to send the kids to. We had a choice of two music schools and three or four different types of drama and art classes, plus a gymnastics center, a fine city library, and the university library where Ishmael wanders around in the stacks practically in ecstasy. Then there are two state parks within bicycling distance, and a shopping district that the kids can walk to by themselves, com-

NANCY WALLACE is completing a book on home-schooling.

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plete with bookstores, record stores, a bagel shop, and a Greek pizza place. And when Ishmael wants to earn money, he has three elderly neighbors to work for, shoveling their snow, raking leaves, and mowing lawns. Vita, a competent businesswoman in her own right, has already made 75 cents by setting up a used-doll stand right across the street from the school-bus stop. To us, it seemed that school would be more of a hindrance than anything else. After all, there are just so many hours in a day, and you can't do everything.

But cultural and educational opportunities were only half the reason for our move. Uppermost in our mind was the fact that most states—including New Hampshire—have extremely restrictive laws regulating, or even banning, the right of parents to educate their children at home. There are few things more upsetting than having to fight the state over something as dear to you as your children. Worrying about the move, I had recurrent visions of Peter and Brigitta Van Daam, home-schoolers in Rhode Island, whom I'd watched on TV, bravely waving goodbye to their children as police drove them off to jail for failing to comply with the state's compulsory-education law. I thought, too, of the Sessions family in Iowa, in and out of court for years, fighting to keep their boys out of school, and of John Singer in Utah, whose battle with school authorities to teach his seven children at home ended tragically, when he was shot to death in a gun battle with some local sheriff's deputies.

New York State, fortunately, is a rare exception—what we call in our circles "a pretty good state." Here, families can opt for home-schooling on an elementary level with no formal "approval process" at all, if they notify their local public school superintendent and agree to teach a minimum of courses required by law. In Ithaca, we found to our delight, the superintendent took a relaxed attitude toward our request to keep Ishmael and Vita out of his schools. "Although I think we have a very good school system here," he told us, "how parents decide to educate their children is their own business. And if you have the guts to take on the responsibility of teaching your kids at home, then I think I can assume that you are doing a good job." Right then we knew that this was going to be our town!

Things hadn't always gone so smoothly for us. Dealing with the public school authorities in New Hampshire had been a series of nerve-wracking ordeals. Not that we had been down on the local schools from the start; actually, we had originally sent Ishmael to first grade on a cheerful note. The little five-room school seemed like a microcosm of the rural, working-class community that we had chosen to live in—unpretentious, hard-working, healthy, and innocent of the drugs, high-pressure competition, and elitism that had, in varying combinations, characterized the private schools and suburban public schools that Bob and I had attended in the 1960s. And we couldn't help but like the idea of sending Ishmael to a place where everyone knew everyone else—it seemed almost like home.

But within a week we knew that something wasn't right. Every afternoon, Ishmael drooped in the door, grabbed a book off the bookshelf—any book—and read it as if he were starved for the printed page. And often, if I interrupted him, called him to dinner, or just sat down to try to talk with him, he would burst into tears. Finally, after a particularly bad day, his troubles just tumbled out. He wanted to learn something in school, he complained miserably, not just color in worksheets. He hadn't even been given any books to read yet.

Ishmael had taught himself to read and write the year before. Already books seemed to have become a necessary part of his life, and he was writing stories and journals at home and putting out a weekly neighborhood newspaper as well. Surely Ishmael's teacher, who I knew was busy trying to handle a class of thirty wild six-year-olds (many of whom couldn't even recognize their letters yet), just hadn't noticed his abilities. So I decided to go and talk to her, thinking that perhaps she could send Ishmael to the library for a few hours a day and give him some paper and a pencil to write with. I didn't think this was too much to ask, and I couldn't just sit by while Ishmael was so unhappy.

NFORTUNATELY, THE TEACHER WAS too busy worrying about her role as a teacher to understand what I was talking about. She knew that Ishmael could read, she said, "but no one else in the class is reading yet, so that means I'll have to put him in a group by himself, which will be bad for him socially. Besides, if I gave him a reader that is difficult enough to be a challenge, it would have to come from the third or fourth grade, and how could I be sure that he was comprehending what he was reading if he was using a book that I hadn't had a chance to read yet?" She finally did agree to get Ishmael the reader, and I suppose she managed to find the time to read it, but she made him stand "up against the wall" at recess every time she caught him reading ahead ("by accident," he always apologized). He still had piles of mimeographed papers to do, and the only time he had a chance to write was during his handwriting class. Soon he began complaining of headaches, and it was obvious that he was falling apart emotionally.

Throughout this ordeal, his teacher seemed unable to appreciate that since Ishmael had taught himself to read and write, perhaps she could trust him to teach himself other things as well, rather than just making him sit there, bored to tears, until she found a few minutes to teach him.

Toward the end of the year, in desperation, we visited some private schools in the area, one with a program for gifted children, but none of them impressed us. Nowhere did we find a place that seemed to understand that normal children really want to learn when they are given the chance, and that they don't need to be shaped, molded, and disciplined into acquiring the "basics."

Finally, one day, while I was agonizing with a friend about our problems, she happened to show me a magazine article about a mother in New Hampshire who was teaching her children at home, something that we hadn't even thought of doing. As I read it, everything seemed to fall into place. Home was where Ishmael had learned everything that was important, and home was where he was happy. Home-schooling seemed like the perfect solution, especially since I worked at home anyway. Bob and Ishmael were both delighted by the idea, but of course the problem was, How were we going to get legal permission to withdraw Ishmael from school?

We called up the State Department of Education and were told that although home education was possible, we had to prove to our local school board that our child's attendance at school was causing him to suffer a "manifest educational hardship." As a first step, we were supposed to ask our superintendent for a copy of the state's guidelines on home education. Although we were rather overwhelmed by the phrase "manifest educational hardship," we were

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determined to go ahead—we just couldn't stand to see Ishmael so miserable anymore.

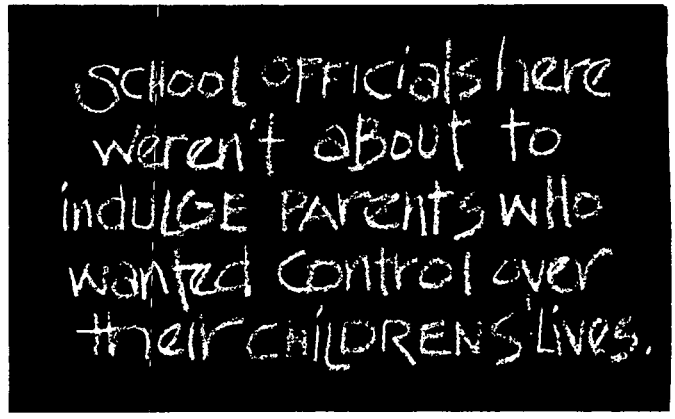
From the very beginning, though, we encountered difficulties. Public school officials here weren't going to gladly suffer parents who wanted control over their children's lives. When our superintendent first heard what we were up to, he was even reluctant to admit to us that he had a copy of the state's home-schooling guidelines, although he did manage to "find" them when I threatened to call the State Department of Education. Then, instead of talking the situation over with us rationally, he kept asking why we didn't just move, and when he realized that we had no intention of disappearing he started forgetting to show up for the appointments we had made. He even failed to tell us where and when the school board was going to meet to make the decision about whether we could teach Ishmael at home. Fortunately we found that out by chance from the wife of one of the board members whom Bob happened to meet at the hardware store.

By then, we had read the education laws backwards and forwards and had submitted a lengthy rationale for wanting to teach Ishmael at home, giving our interpretation of the phrase "manifest educational hardship" and explaining that because we could meet Ishmael's intellectual and emotional needs better than the school could, he would suffer a "hardship" as long as he was forced to remain in school. We were lucky to have the time and the training to put together such a brief; the whole procedure was designed to intimidate most parents into submission.

What really surprised us though, was that when we finally sat down and talked with the school board and the superintendent at their meeting, no one ever expressed any doubt that we could teach Ishmael successfully ourselves. Instead, their primary concern was what they called "socialization." How would Ishmael ever learn to adjust to society, they wanted to know, or to hold a job, if he wasn't exposed to the hard knocks of life throughout his childhood? What they seemed to suggest was that perhaps it was really okay for Ishmael to suffer in school because then he'd be prepared for suffering later on. John Holt, a well-known advocate of home-schooling, described our superintendent and school board perfectly when he wrote in his latest book, *Teach Your Own*, "People who feel themselves in chains, with no hope of getting them off, want to put chains on everyone else."

But the school officials found it more difficult to stop us than they had bargained for. For one thing, we made it clear that we were ready even to go to court to press our case, and we appeared to be so well versed in the law, that they just didn't feel sure enough of their legal position to hold their ground. So in the end they voted to allow us to teach Ishmael on an experimental basis until the end of the year.

E WERE EXHILARATED, BUT as it turned out, we weren't "home free" yet—we spent the next three or four months haggling with the board over the curriculum and their insistence that Ishmael be given a standardized test in the regular second-grade classroom with all the other kids. To us, that seemed cruel and humiliating, particularly since he had grown to dread the school environment, and would be incredibly nervous about the test anyway, knowing that if he scored badly he might be forced back into school. In time, though, we resolved these difficulties. We learned how to write curricula that looked structured and detailed, yet allowed us the freedom we really needed to let Ishmael learn. And although he was tested in the school, it was during a school vacation, and I was allowed to administer the test. Throughout those months we felt a recurrent sense of terror as we were reminded again and again that after our children reached the age of six we would, in effect, have to share them with the state. However, as Ishmael soon taught us through his obvious delight in being able to learn at home, it was no time



to look backwards or to get hung up brooding about the state's control over our lives. The important thing was that he was finally free to learn as much as he wanted.

Many parents I have talked with since describe feeling suddenly overwhelmed by the responsibilities they had just taken on as home-schoolers—one mother told me that she spent her first morning crying in the bathroom, wondering if she had been crazy to take her kids out of school—but we never really felt like that. Ishmael had been far too unhappy in school to give us any second thoughts. Still, those first six months were really a crash course in education for Bob and me.

We started out with a fairly structured curriculum. Every morning Ishmael did about fifteen minutes of math, then copied poetry into his handwriting notebook, wrote letters or entries in his journal, kept records of the weather and the birds at the birdfeeder, and worked on various skills such as how to use a dictionary or an encyclopedia. In the afternoon we sat on the couch (with Vita too) to read about New Hampshire history, and at night Bob did science experiments with the kids and taught them astronomy. On really nice days we saved plenty of time for skiing or sledding.

Although it was "structured," our curriculum wasn't as rigid as the school's had been, and it was different in another way too. At home we only read *real* books, not artificially constructed textbooks meant for children. We used a real dictionary, rather than mimeographed worksheets, to study "dictionary skills," and studied spelling and grammar through the very natural process of writing. Ishmael seemed to be happy with our program, especially since we based it as much as possible on his own interests, but soon we noticed that he seemed happiest of all in his spare time. He liked reading about New Hampshire Indians, for example, but that just sparked his interest in the French and Indian War, the Iroquois, and the Plains Indians. There was no way I could keep up with all of his reading, and rather than holding him back, I just came to see myself more as a resource than a teacher. I made sure that he was always well

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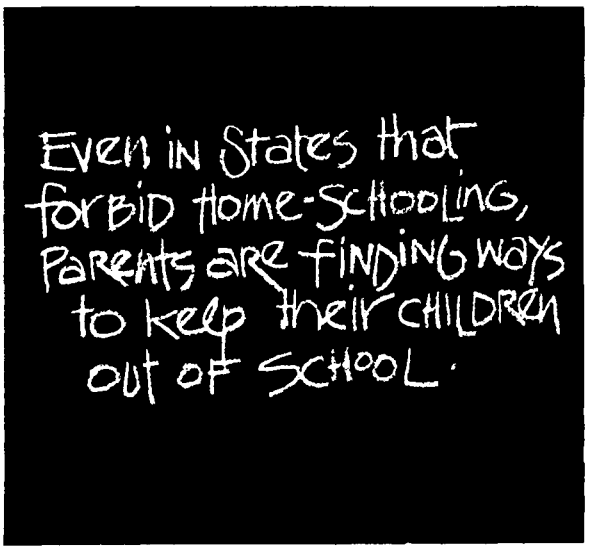
supplied with books to read on his own.

At the same time that we began to loosen up as teachers and let Ishmael direct his own education, we discovered that a traditional "teacher/student relationship" could often be quite appropriate. When Ishmael wanted to learn French, for example, a neighbor down the street offered to give him French lessons. Another neighbor offered to give the kids pottery lessons, and they began taking art, drama, and piano lessons in town. In every case the teaching worked because Vita and Ishmael had decided that they wanted to learn what the teacher wanted to teach.

In reaching out to our community for support, we discovered to our surprise that there were four other families in our county who were teaching their children at home. All of them were eager, like me, to talk about what they were doing. What a gold mine, especially since Ishmael and Vita now had children to play with during school hours.

Through one of these parents we found out about John Holt's newsletter, *Growing Without Schooling*, which we immediately subscribed to. We were delighted to learn that all across the country parents were taking their children out of school. Since then, we've become acquainted with Holt and with many more home-schooling families, and we feel as though we've met a hundred others through their letters to his newsletter. Holt first made a name for himself as a champion of school reform in the 1960s, with his books *How Children Fail* and *How Children Learn*, but, as he wrote in *Teach Your Own* (1981), "I began to see, in the early seventies, slowly and reluctantly, but ever more surely, that the movement for school reform was mostly a fad and an illusion. Very few people, inside the schools or out, were willing to support or even tolerate giving more freedom, choice, and self-direction to children." His decision to abandon the idea of schooling came slowly, too, but by the late seventies he was working with families to help them teach their own children at home. "I found that what they most needed," he wrote, "was support and ideas from other families who felt the same way." For that reason, he began publishing *Growing Without Schooling*, drawing most of his material from letters that parents wrote to him about their own experiences teaching their children and watching them learn.



It started with just Holt and an assistant, but now the newsletter has a staff of three full-time, one part-time, and at least a dozen volunteer workers in its small office in Boston. They work madly reading, sorting, and answering the mail, talking to parents who phone with inquiries, troubles, and good news, and, of course, putting out the newsletter. Holt's assistants often run the whole operation while he is off giving lectures or being interviewed for radio and television, which seems to happen more and more frequently.

From the bustle in his office, the constant ringing of the phone, the stacks of letters, and the growing number of subscribers, one gets the feeling that the home-schooling movement is really gathering momentum. Certainly the news media have caught on to the idea. Articles about home-schooling have appeared in all the prominent newspapers in the country; *Time*, *Newsweek*, and *Saturday Review* have done stories on home-schooling; and home-schoolers have appeared on "The Phil Donahue Show," "Good Morning America," and all the network news programs.

HOME EDUCATION, THOUGH, IS NOT really new at all. In the seventeenth, eighteenth, and even nineteenth centuries, most upper-class children, particularly girls and young boys, were taught at home by their parents or by paid tutors. During the early westward expansion movement in America many children grew up in sparsely populated areas where there were no schools, or they were needed at home to help with the farm work, and so they learned their lessons at their mother's knee or at night by the light of the fire, like Abraham Lincoln. Many parents, too, kept their children out of school during that period for religious reasons. Even such famous figures of this century as Robert Frost, Franklin Roosevelt, and Margaret Mead received much of their schooling at home.

Today, the types of people who are educating their children at home are just as various as they were in the past. But with the advent of compulsory-education laws, most of which not only require children to be educated but also to attend school, parents are finding it more difficult to keep their children at home. Eighteen states ban home-schooling altogether. In most other states, like New Hampshire, home-schooling is possible only for determined families who are able to prepare detailed statements—practically legal briefs—for their school authorities explaining why and how they plan to teach their children. Fortunately some states, like New York, treat home-schools leniently, like private schools. In California, home education is illegal unless the parent or paid tutor has a teaching certificate, but many parents have discovered recently that through a loophole anyone can start a private school in their home with as little as one student in attendance. In court cases across the country, *Perchemlides* v. *Frizzle* (Massachusetts, 1978) and *Iowa* v. *Sessions* (1978), for example, families are winning important decisions that are opening the doors for others and making it increasingly difficult for school officials to act arbitrarily or to interpret their state-education laws too stringently. But even in states that specifically forbid home education, many parents are finding ways to keep their children out of school, either by enrolling them in private schools that they never actually attend, or by never registering their children with the local school district at all, hoping that by maintaining a low profile, the school officials won't find out about them.

So how many of us are there? John Holt estimates conservatively that there are 10,000 families across the country who are teaching their own children, but many authorities put the number as high as 40,000, which might be a reasonable guess if you include all the home-schoolers currently

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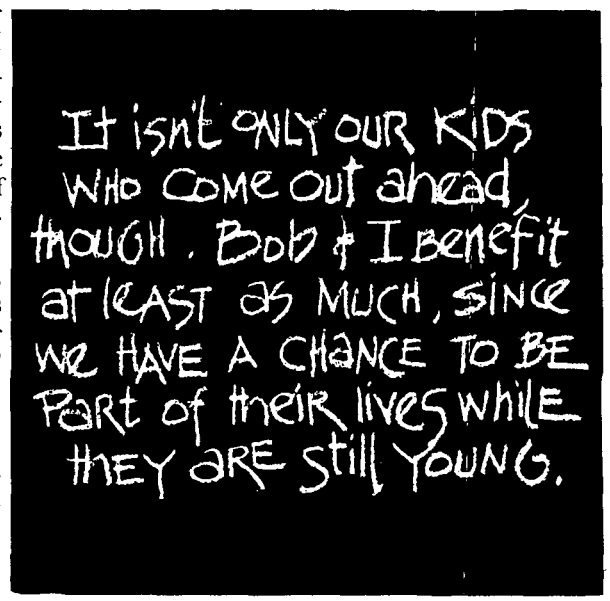
operating "underground" or those using correspondence courses with loose ties to religious schools. (Seventh Day Adventists, for example, don't believe in sending their children to school before the age of eight, and in order to get around the compulsory-education laws they often enroll them in Adventist schools, but then teach them at home, using materials from the school and receiving supervision from the teachers.) The actual number is perhaps less important than the fact that it is growing fast—and growing with it, by example, is the challenge to the public educational establishment.

Home-schoolers I've talked to or read about have many different reasons for keeping their children at home. Many are like Mary Maher, who wrote in *Growing Without Schooling:* "We removed our son from school because he is exceptionally bright, but he has never done well in school. Something in the school system is seriously wrong when bright children cannot live up to their potential. My husband and I want to provide our son with a relaxed and pressure-free environment where anxiety attacks over school will be a thing of the past. We are somewhat scared of this new venture, but we are excited too!"


It isn't ONLY OUR KIDS
Who come out ahead,
though. Bob & I benefit
at least as MUCH, since
we HAVE A CHANCE TO BE
Part of their lives while
they are still YOUNG.

Others, like Anna Andrews, are motivated by their religious beliefs. "Our convictions for teaching our children at home," she wrote in *Tidbits*, "stem from our desire that they have a Christian education—one built on the Bible and the learning book of nature. We wanted our children to be taught as Jesus was by His mother. He was educated not by the world, but from four books—the book of Scriptures, the book of Nature, the book of Works (He was a carpenter), and the book of Life's Experiences."

Some families simply wish to continue teaching their children as they taught them before they came of school age. "We feel that we know our children best and care about them more than anyone else," Verna Helmke-Scharf wrote to her school board. "We are most willing to take the time to listen to them and guide them in learning. . . . Our Quaker values say that there is that of God in every person and that the spirit of God is good and full of life. We want to show our children daily that we believe those values and that we try to live by them. We believe in simplicity, honesty, and humor. We'd like to share these values and our lives with our children as fully as possible for these few years that we have the privilege of having them with us." Another mother put it a little differently, when she told me, "There we were, living without electricity or running water, and trying to teach our children how to conserve our precious natural resources, while the school was continually extolling the virtues of nuclear power. And while at home we ate mostly the organic vegetables that we grew in our garden, and milk and cheese from our goats, our children were taught [in school] that a meal at McDonald's was well-balanced and healthy. I just felt that my children would never be my own as long as they were in school, and I longed to have them be a part of my life, as they had been before they ever turned six."

Just as home-schoolers keep their kids out of school for many different reasons, so they run their own "schools" in many different ways. Many use correspondence courses like the Calvert School, the Home Study Institute (run by the Seventh Day Adventists), or the Christian Liberty Academy, while others draw up their own curricula. Some begin each day with the flag salute and have six formal one-hour class periods a day, while others, "who teach organically, just live their day and the 'lessons' happen in the course of it," as Nancy Plent put it in an issue of *Homesteaders News*. Somewhere in between, though, are the vast majority of parents who, like us, set aside two or three hours a day to spend exclusively with their children, going over their lessons, answering their questions, reading with them, creating with them, and, of course, enjoying them. I think it is safe to say that whatever approach parents use, most of their children seem to be academically ahead of children in school, thanks to all the individual attention they receive from their parent-teachers.

From our observations and from reading *Growing Without Schooling*, it is clear that for most families who can commit themselves to it, home-schooling really improves a child's outlook on life and learning and helps dramatically to knit (or reknit) families together. But home-schooling doesn't work for everyone. Quite a few children choose to go back to school at one time or another because they feel they are missing out on something. Ishmael had a friend, for example, who spent his whole year at home designing a solar rocket that would get him back to school! Fortunately, his parents were understanding and did send him back.

Most home-schooled children, however, choose to continue their education at home through high school. Those who want to go on to college seem to have no trouble, and many enter early at, say, fifteen or sixteen. The University of California at Berkeley, for example, gets six or seven applicants a year who have been educated at home. "We give them proficiency tests, and if they pass them we go ahead and take a chance on them," says the university's admissions director, Robert Bailey. "They usually do very well."

So far Vita and Ishmael haven't made any decisions about college, but they have made it clear that they don't want to go back to school. They see all the children they seem to need in their afternoon classes, and during their mornings they have the chance to develop their talents and explore their interests in a relaxed, noncompetitive environment. It isn't only the kids who come out ahead though—Bob and I benefit at least as much, since we have the daily opportunity to be a part of our children's lives and to enjoy them while they are young. But often, as I listen to Ishmael play the piano or watch the scraps fall to the floor as Vita cuts out paper for a collage, I feel a great wrenching in my heart as I think of all the families around the country who are still fighting for the right to enjoy their children as we do. ❑

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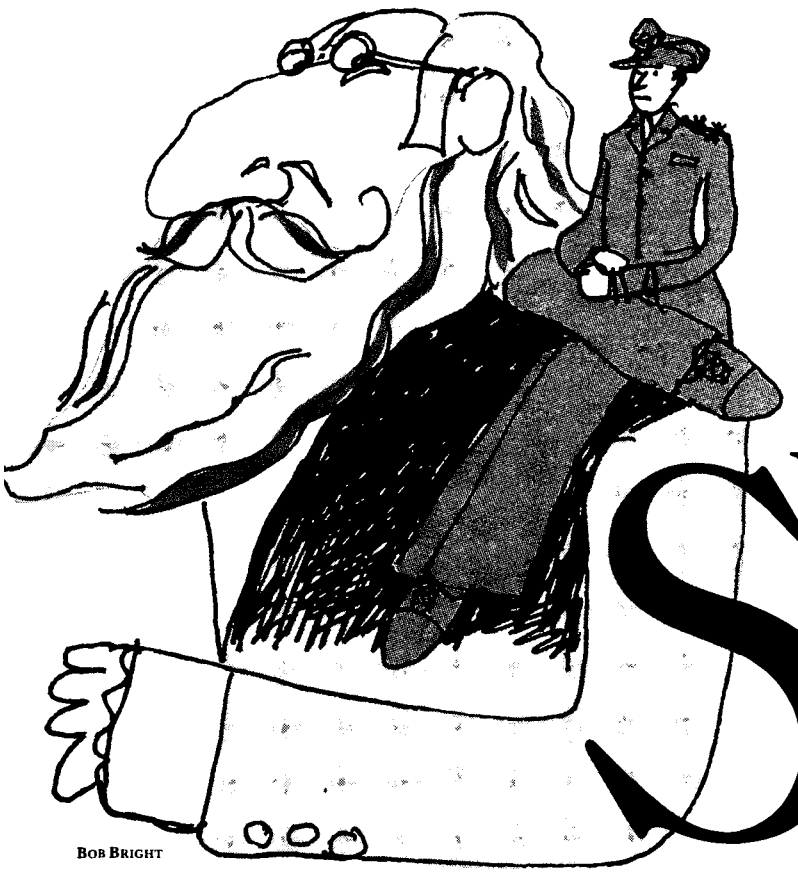

BOB BRIGHT

When SCIENCE Is Outlawed...

Outlaw scientists may have to turn to a scientific samizdat if the Reagan administration succeeds in clamping new controls on research and publishing in the name of national security.

by John Pike

*DRIFTING OFF THE EAST*ern shore of the United States, an innocent-looking buoy bobbed up and down with the waves until a U.S. naval vessel fished it out of the water. Examined closely, the buoy gave up its guilty secret: It was a Soviet antisubmarine device dropped near American waters to monitor ocean temperature and currents. Most disturbing of all was the discovery that the miniaturized electronics in the buoy used tiny integrated circuits based on American designs—evidently stolen and then copied by the Soviets. "That's a scary achievement," commented one defense official. And indeed no less than Defense Secretary Caspar Weinberger has cited this case as evidence of the Soviets' "massive, systematic effort to get advanced technology from the West . . . to support the Soviet military buildup."

But was it such a "scary achievement?" The integrated circuits found in the buoy were at least three years out of date—and three years in the fast-paced semiconductor industry is time enough for an entirely new generation of devices to appear. Nonetheless, the Reagan administration has exploited this episode and others like it to support a wide-ranging crackdown on the free flow of scientific information. The crackdown is coming on three fronts: stringent new controls on the Freedom of Information Act, a new executive order authorizing sweeping government censorship, and now a major thrust to stymie the dissemination of scientific knowledge.

The Reagan administration entered its second year with the makings of a return to the scientific McCarthyism of the Oppenheimer inquisition. Several major pronouncements by high-ranking administration officials—amounting to a naked power-grab by the government to shackle the scientific community in the name of national security—have led to protests by academics concerned about the im-

JOHN PIKE writes frequently on science, technology, and public policy. He is currently completing a book and videodisc on the exploration of outer space.

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minent loss of their First Amendment protections of freedom of speech. At stake in this growing controversy is the ability of scientists to inquire and publish free from the withering scrutiny of government censors.

The spearhead of this assault on scientific freedom was a speech by Admiral Bobby Ray Inman, currently deputy director of the CIA, in Washington, D.C., on January 7. Addressing a symposium at the annual meeting of the American Association for the Advancement of Science (AAAS), Inman asserted that the free exchange of ideas among scientists was aiding the Soviet military buildup, and called for a system of voluntary controls—including prepublication review of technical papers—to restrict the flow of information in such fields as "computer hardware and software, other electronic gear and techniques, lasers, crop pro-

Our Unofficial Secrets Act

by Jonathan Marshall

LONG BEFORE THE Reagan administration made its highly publicized threats to drop a wall of secrecy around the scientific community, another branch of scholars was already feeling the weight of government censorship: historians of American foreign relations. For three years they have protested—mostly in vain—as State Department bureaucrats have found new rationales to prevent the disclosure of old, but not forgotten, diplomatic records.

The controversy, which so far has attracted little public attention, concerns the right of historians and interested citizens to the timely review of documents that tell the story of our government's recent diplomacy. At issue is the integrity of the State Department's invaluable documentary series, *Foreign Relations of the United States,* and the prolonged refusal of the department to release files from the early 1950s—files pertaining to the Korean War, the development of national security policy, covert operations abroad, and even the origins of American involvement in Vietnam. A series of restrictive policies beginning with the Carter administration and carried forward under Reagan threatens to keep the veil over these events. "The public's right to know thirty years after the fact what its government has done or did not do in a specific area of the world is crucial to the functioning of a healthy democratic system," says one member of the State Department's historical office, which compiles the *Foreign Relations* series. "And that, I thought, was the purpose of the *Foreign Relations* volumes when I got to the office. I have since realized that there are those in our office and outside who do not believe that is the mandate with which we've been charged and have no intention of carrying it out."

Some might argue that the public has a right to know what its government is up to long before thirty years go by. But the State Department guards its records so jealously that its declassification program lags behind even that of the notoriously secretive British, who follow a strict thirty-year rule. The problem began, ironically, with the Carter executive order on declassification, which promised greater public access to materials of state. "The public is entitled to know as much as possible about the government's activities," President Carter declared on signing the order in June 1978. "The new order will increase openness in government by limiting classification and accelerating declassification. With a few exceptions, the documents . . . will be declassified after no more than twenty years."

Fine words, but as historians soon learned, empty ones. The effect of the order was to impose vast new bureaucratic obstacles to the release of documents. Previously, State had simply turned over masses of records to the National Archives for opening en bloc as soon as the annual *Foreign Relations* volumes were released. Now every sheet of paper had to be read and reviewed under restrictive guidelines prepared by the State Department's new Classification-Declassification Center (CDC), established to implement the order. No bureaucrat was going to risk letting anything sensitive through the strainer without higher review, so the process quickly ground to a slow crawl. "One of the great ironies in all this is that the best set of directives for releasing classified information was written by [Nixon aides] Ehrlichman and Haldeman in 1972," commented Walter LaFeber, a prominent diplomatic historian at Cornell University. "The Carter administration was retrogressive, yet it promised open government."

The problem went beyond the executive order, of course. With the release of *Foreign Relations* volumes from

the late 1940s, American embassies abroad began complaining that some of the documentary revelations were causing political difficulties, particularly as evidence came to light of U.S. political manipulations. Italian citizens, for example, were shocked to learn that the United States had considered staging a military coup in the event that the Communist Party won a peaceful victory in the 1948 elections. The CDC, sensitive to these concerns, called in for further review volumes of the 1950 *Foreign Relations* series that had already been cleared and prepared for printing. As historians waited in vain for the volumes to appear, the censors went to work. "We heard that 20 to 25 percent of the 1952–54 materials were being removed," said LaFeber. "CDC said less than one percent, but then we asked about the Iranian coup of 1953. In some of the important sec-

JONATHAN MARSHALL is an associate editor of INQUIRY. Scott Chase did some of the research for this piece.

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jections, and manufacturing procedures." He warned that those who opposed such restrictions were "about to have that way of thinking washed away by the tidal wave" of public opinion, and went on to say that "the tides are moving, and moving fast, toward legislated solutions that in fact are likely to be much more restrictive" than the voluntary controls he proposed. The "tidal wave" of public opinion may only have been a figment of his imagination, but Inman's threat was chilling nonetheless. (Admiral Inman is no stranger to efforts to censor the work of scientists. As director of the National Security Agency [NSA], he actively sought to control independent work in cryptography, going so far as to classify two privately developed inventions, one a voice scrambler, the other a cipher device. Both were declassified a few months later.)

The second prong of the assault was a letter by Deputy Secretary of Defense Frank C. Carlucci in the January 8 issue of *Science*, the weekly journal of the AAAS. "It is quite apparent," Carlucci argued, "that the Soviets exploit scientific exchanges as well as a variety of other means in a highly orchestrated, centrally directed effort aimed at gathering the technical information required to enhance their military posture." He cited three Soviet scientists who had obtained information he regarded as militarily sensitive while they were in the United States during the late 1970s: S. A. Gubin, who worked on concussion bombs; K. H. Rozhdestvensky, who did research on aerodynamics; and T. K. Bachman, whose work was thought by some to have military applications for aircraft cockpit displays. Carlucci went on to note that in the Senior Scholar Exchange program "practically all the Soviet nominees propose to study in fields having military application . . . while the United States nominates scholars specializing in the arts, literature, and history."

THE SIGNIFICANCE OF these repressive fulminations was brought into focus the following week by the announcement that Stanford University would not accept the restrictions that the State Department, through the National Academy of Sciences, sought to place on the visit of Soviet roboticist Nikolai V. Umnov to the university's campus. Stanford Vice-Provost Gerald Lieberman, noting that the university no longer engages in classified research, stated: "There may be some technological leakage. But the solution will do more harm than good. The reason we are ahead in high technology is because of openness. If we can't exchange information, research will be harmed in a very counterproductive way."

The university's refusal was the result of prodding by Bernard Roth, professor of mechanical engineering, who was to be Umnov's host at Stanford. Roth was incensed by the severity of

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tions, that 1 percent could be 30 to 40 percent of the material we desire. It just castrates the *Foreign Relations* series." Lloyd Gardner, professor of history at Rutgers and a leader in the fight for more openness, charges that the CDC is "lying with statistics" when it minimizes the impact of the deletions, since it is likely that the most revealing documents are those being censored. Inside sources at the State Department's historical office say that up to 17 percent of the documents included in the *Foreign Relations* series have been withheld, and that the largest deletions have come from materials on Western Europe, Korea and China, and the Middle East. The 1951 volumes on those areas have been delayed until next year.

Meanwhile, scholars will have a much longer wait for access through the National Archives to the general bulk of records from the 1950–54 period. Budget cuts at the Archives have reduced the declassification staff to one-third of its former size, and with document review made vastly more arduous by the demands of the CDC guidelines, Archives has so far refused to accept records from that period. Edwin Thompson, head of records declassification at Archives, now predicts only that the "larger part" of the 1950–54 records will become available by 1986 "if all comes through as we can best hope."

Even when the materials do become available, the most significant documents may well be missing. Intelligence-related records, in particular, are being withheld, which will color historical accounts of electoral and paramilitary intervention by the United States in Western Europe, the Soviet Union and the Balkan States, Guatemala, Iran, and the Far East. "After 1950 the intelligence aspect is more pervasive," says Neal Petersen, acting deputy historian at State, "and things get stickier and stickier." Adds Edward Becker, a private researcher with long experience at the Archives, "You are going to get a very incomplete picture of what was going on, since the CIA was increasingly given charge of the implementation of U.S. foreign policy in that period."

The other major problem arises from an exemption in the Carter executive order for "foreign-originated information." Some State Department officials have interpreted the phrase to mean any information given in confidence by foreign officials. "Pushed to its limit [the exemption] might mean nothing would be released at all," admits Petersen. In practice, the exemption has been invoked to avoid embarrassing friends of the United States. "A subcabinet type in Italy in the 1950s might today be a defense minister," explains Petersen. "If he was rabidly pro-American that might hurt him now with the opposition." Pressed to come up with concrete examples of damage done by the release of materials through the *Foreign Relations* series, however, CDC officials could come up with only one case—an Icelandic politician who complained because of an adverse reference to him in the documents.

Meanwhile, the future looks bleak, with Reagan proposing in a new executive order to drastically broaden the scope of classification and eliminate mandatory review. "Everyone says things will tighten up under Reagan," says Petersen. "The atmosphere now is even worse," agrees Lloyd Gardner. "Under Carter, at least, a pretense was being made that there was to be openness in government. Supposedly his new guidelines were going to increase access. This didn't happen, of course. While Carter's executive order on paper promised openness," the bureaucracy thwarted its intent. "Now under Reagan the government at the top and the lower levels of the bureaucracy both are in accord on the need for more secrecy."

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the proposed restrictions on Umnov; he regarded them as significantly stricter than the controls previously imposed on other visiting Soviet scientists. Stanford has a number of foreign scholars currently in residence under much less onerous terms, and Roth found these new limits on what Umnov could see and do to have a certain "Alice in Wonderland" air about them.

The State Department retaliated against Stanford by blocking Umnov's visit altogether and then, only a week later, by denying permission for Soviet diplomat Yuri Kaprolov to visit the Stanford campus to participate in a forum on disarmament. The resulting public furor proved embarrassing to the government, however, and in early February the State Department finally relented on the Umnov visit. Umnov will now be allowed access to unclassified research funded by the Defense Department. Stanford is not alone in having to stand up to the government; the number of cases where controls have been rejected is large and growing. In 1981 the Massachusetts Institute of Technology refused to cooperate with attempts to limit the activities of a visiting Chinese physicist. And this January MIT rejected proposed restrictions on visiting Soviet chemist Mikhail Gololobov. The State Department ordered MIT to prevent Gololobov from seeing any work done in nutrition research. Since he was slated to visit the Department of Nutrition and Food Science, which does nothing but nutrition research, MIT officials were understandably dismayed. Similar protests of government meddling are under way at the University of Minnesota, the University of Wisconsin, and Ohio State University.

Should the administration seek to impose mandatory restrictions on the dissemination of scientific and technical information, it certainly has ample legal basis for so doing:

■ The Invention Secrecy Act of 1951 permits the Defense Department and the Patent Office to classify as secret any invention that they determine to be "detrimental to national security" should it be published. Approximately 300 patents are so classified each year, primarily military devices developed by government researchers.

■ The Atomic Energy Act of 1954 enables the Department of Energy to classify as "restricted data" any data or concepts pertaining to nuclear weapons. As George Washington University law professor Mary Cheh noted at the AAAS symposium, the prosecution in the nuclear-secrets case against the *Progressive* "sought and obtained judicial support for the government's long-held view that the information control provisions may be applied to any information falling within the definition of Restricted Data regardless of where the information originated." Previously, however, the government had "applied the information control provisions only to Restricted Data generated by government employees or under government support or sponsorship."

■ The Arms Export Control Act of 1976 allows the State Department to prevent the dissemination of "any unclassified information" pertaining to items included in the International Traffic in Arms Regulations (ITAR) list of munitions subject to export controls, as well as "any technology which advances the state of the art or establishes a new art in an area of significant military applicability in the United States."

■ The Export Administration Act of 1979 requires the Commerce Department to issue export permits for almost every item of commerce not on the ITAR list. The law prohibits the dissemination to foreigners, by any means, of "technical data," defined as "information of any kind that can be used, or adapted for use, in the design, production, manufacture, utilization, or reconstruction of articles or materials" unless an export license has been issued.

The broad language of these laws, which cover virtually every activity in American life, was enacted with congressional understanding that the executive would be circumspect in administering them. But the Reagan administration seems determined to exploit the broadness of the language to the fullest. Representative George E. Brown, Jr., a Democrat from Riverside, California, circulated a "Dear Colleague" letter to House members warning of the dangers of the administration's initiatives. But the degree of support Reagan enjoys in the Congress is cause for some pessimism. Representative Charles E. Bennett of Jacksonville, Florida, has introduced a resolution (H.R. 109) that would further extend the scope and restrictions contained in these last two laws, although congressional action is awaiting guidance from the executive branch.

The White House has drafted an executive order that would reverse decades of increased government openness.

EVEN IF CONGRESS DOES not back Reagan, he can still impose mandatory information controls by executive order. The White House is studying a draft of just such an order, which would reverse three decades of increasing governmental openness, by changing the "balance of interests" test for deciding what information should be restricted. Heretofore, national security concerns had to be balanced against other interests. Under the drafted order, any information that has any national security implications would be restricted, regardless of how minor these implications, or how compelling the need for public disclosure. The order would do away with the current prohibition against classifying "basic sci-

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entific research information not clearly related to national security." It would permit classification of nongovernmental research prepared without access to classified information. It would eliminate any mandatory review of document classification. And, contrary to previous standards, it would impose on government bureaucrats the rule: When in doubt, classify.

Any attempt to further limit the free flow of scientific information will certainly face a number of obstacles. Current laws that would be the basis for mandatory legal controls are written in such vague and general language that they are probably vulnerable to successful challenge on constitutional grounds. Moreover, the government really lacks the organizational wherewithal to enforce such controls. However, scientists have put themselves out on a limb by accepting so much government financing. In fact, big government and big science are so intertwined that the imposition of mandatory controls would foster an adversary relationship that neither is anxious to see. Ira Michael Heyman, who worked with the NSA to develop review procedures for publication of research on cryptography, argued that "In the cryptography circumstance, I was willing to assume that the loss could be large and the amount that you are restricting people was very small. In the broader case, it seems to me it's just the opposite. Once you start to extend that principle . . . anything that's written in the sciences . . . is going to be swept into this system. It's much, much too broad."

The imposition of mandatory information controls also raises the specter of a "scientific samizdat," with scientists furtively passing on the results of their research to circumvent government controls. The widespread use of computer terminal networks would facilitate this process. But the impact on scientific progress would be devastating. According to William D. Carey, executive officer of the AAAS: "Our own military power will be diminished, not enhanced, if the wellheads of scientific communication are sealed and new knowledge confined in silos of secrecy and prior restaint." If the Soviet Union lags behind the United States in most fields of science, it is not for lack of brainpower, funds, or official support—but for lack of openness. "It is no accident that the United States has the widest technological lead in those areas where government regulation has been the least," says Peter J. Denning, president of the Association for Computing Machinery.

These difficulties explain in part Admiral Inman's predilection for "voluntary" self-censorship. But to be effective, the volunteers must be persuaded of the need for controls. Carey of the AAAS says, "I have exceedingly great trouble accepting the proposition of making substantial concessions in the absence of a clear and present danger."

It is doubtful whether the few isolated examples of technological leakage to the Soviets add up to the menace the national security managers have conjured up. With the Pentagon Papers and the *Progressive*'s publication of H-bomb schematics, the government's predictions of calamity have not been borne out by events. Advocates of censorship, learning from these mistakes, no longer cite specific damage from specific leaks of information but merely assert an undifferentiated menace to some vaguely delineated conception of national security. Needless to say, this formulation leaves many members of the scientific community unconvinced.

For one thing, America is not the only place the Soviets can gain access to advanced technologies. European scientific work is certainly on a par with that of the United States. And the Japanese lead the world in areas such as robotics and electronics.

A more basic question is whether secrecy can work at all. When the United States began developing the atomic bomb in the early 1940s, American scientists agreed to withhold their research on nuclear fission from publication. Soviet physicists were able to deduce from this suspicious silence that the United States was working on a bomb, and convinced their own country to do the same.

Professor Roth at Stanford thinks that the current control program is "administered by lawyers who don't understand technology" and "don't understand what they are doing." According to Mary Cheh, "some government administrators and policymakers believe that knowledge should be hoarded and traded like any other commodity." She notes that the true barrier to technology transfer is not acquisition of information, but "acquiring the cadre of skilled scientists needed to reduce the information to application [and] building the sophisticated and expensive facilities needed for production."

American scientists have also expressed concern over the potential loss of technical information from Soviet scientists. Umnov is a leading worker in the field of robotics, and in past years his contributions facilitated great advances in American robotics. American fusion research was greatly aided by information provided by Soviet scientists on their Tokamak reactor design. Planetary astronomers are worried that the Soviets might not share data and photographs from Venus acquired by their new Venera spacecraft.

INVOKING NATIONAL SECURITY as a pretext for censorship no longer satisfies most Americans. As Admiral Inman himself admitted, this suspicion "stems from a basic attitude that the government and its public servants cannot be trusted. I do not think it is harmful to recognize that the federal government—particularly its intelligence agencies—have in fact made mistakes in the past on occasion, and suspicion of the federal government in this regard is understandable." With some of the admiral's former employees going to work free-lance in Libya, carrying top-secret technology with them, perhaps he should clean his own house first.

National security consists of more than just military hardware. It derives from who we are as a people, and what we stand for as a nation. Much of America's greatness rests on our fundamental commitment to freedom, particularly freedom of speech. Admiral Inman's initiative strikes at the heart of that freedom. The basis of his proposal is "that which is not permitted, is forbidden." It is this totalitarian thought control that we find so abhorrent in Soviet society.

We must not miss sight of the larger issue. The threat of scientific censorship is part of a concerted attack on the First Amendment. The Intelligence Identities Protection Act and the assault on the Freedom of Information Act are part and parcel of an effort to destroy the cornerstone of American democracy. We must remember the words of physicist Niels Bohr: "The best weapon of a dictatorship is secrecy; the best weapon of a democracy is the weapon of openness." ❑

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WITNESS TO POWER: The Nixon Years, by John Ehrlichman. Simon and Schuster, 432 pp., $17.50.

Watergate shell game

J. ANTHONY LUKAS

ITEM: PRESIDENT RONALD Reagan nominates Maurice Stans for the board of the Overseas Private Investment Corporation. Stans, chief fund-raiser in Richard Nixon's 1972 campaign, was fined $5000 after pleading guilty to misdemeanors growing out of Watergate.

Item: Howard Hunt, who served thirty-two months in prison after pleading guilty to six counts of burglary, conspiracy, and illegal wiretapping, and Jeb Magruder, who was imprisoned for seven months after pleading guilty to conspiracy in the Watergate cover-up, ask President Reagan for pardons. The Justice Department is studying their requests.

Item: Four thousand hours of Nixon's tapes will remain secret until 1987 because twelve technicians at the National Archives are dismissed in Reagan's budget cuts.

Item: NBC airs a two-hour movie version of G. Gordon Liddy's autobiography in which Liddy is portrayed as a dedicated patriot, staunch defender of law and order, and crusader for prison reform. As an inmate at Danbury federal prison, he wiretaps the warden, gaining sufficient evidence to force his resignation. Jubilant prisoners applaud Liddy as he makes a triumphant tour of the prison yard on an earthmover.

Item: Simon and Schuster—which gave us Woodward and Bernstein—publishes a book by John Ehrlichman, who explains that he never authorized the burglary of Daniel Ellsberg's psychiatrist's office, never told John Dean to have Howard Hunt flee the country after the Watergate burglary, and never ordered Dean to "deep-six" a briefcase from Hunt's safe.

What's going on here? A scant eight and a half years after Richard Nixon's resignation, are we already embarking on a Watergate revisionism that will reformulate, reinterpret, and, ultimately, excuse that nasty episode in American history?

This is history as vendetta, a mean-spirited, crabbed, and spleeny book.

No historical judgment is immutable, surely not one formulated in a feverish time like the early seventies. Several postwar presidents—Harry Truman, Dwight Eisenhower, and John Kennedy—have been thoroughly reexamined by revisionist historians. (Garry Wills's new book, *The Kennedy Imprisonment*, should cause many Americans to fundamentally reassess that glamorous clan.) One day soon, we will get a searching new look at the Nixon era, which may lead us to make at least marginal adjustments in our evaluation of Watergate.

But this isn't it. In John Ehrlichman's hands, Watergate revisionism is less reinterpretation than reprisal. Purporting to set the record straight, *Witness to Power* is more concerned with settling old scores. It is history as vendetta, a mean-spirited, crabbed, and spleeny book.

Its rancor may derive in part from the inordinate delay in its publication. For seven years, Ehrlichman was denied access to his public papers, including his notes of almost daily conversations with the president. Waiting for the government to release them, he occupied himself with two novels—*The Company* and *The Whole Truth*—thinly veiled versions of his Washington years. But fiction failed to exorcise the demons. Bile and choler festered within him until he purged himself in these pages.

Some may find me unduly harsh on Big John, now widely regarded as the most endearing of the Watergate cast. His scruffy beard, residence in charming Santa Fe, occasional work with the Navajos, concern for the environment, and felicitous writing style have persuaded some critics that he is more "open" and "humane" than his coconspirators. Perhaps so, if John Mitchell, Chuck Colson, and John Dean are the control group. But, to judge by this book, Ehrlichman is the same "snarling prune" Woodward and Bernstein described nearly a decade ago.

What distinguishes *Witness to Power* from most of its companions in the Watergate literature is its gossipy tone. It is no coincidence that *People* magazine featured the book on its cover and ran a substantial excerpt inside, for Ehrlichman dishes the dirt with the best of the trivializers, reducing matters of state to titillating tattle.

He tells us that after addressing the 1964 Republican convention, Nixon got drunk and "made some clumsy passes at a young woman in the group"; that Tricia spent her first three weeks at the White House in her room, seldom coming out even for meals; that Nixon disliked one of his wife's friends so intensely that he talked about making her husband an ambassador just to get them out of Washington; that Chief Justice Warren Burger fancied himself a wine connoisseur and once at a dinner party finished off whatever Burgundy remained in his guests' glasses; that J. Edgar Hoover claimed to have reliable information that Ehrlichman, Bob Haldeman, and Appointments

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Secretary Dwight Chapin were homosexual lovers; that Spiro Agnew pressed to have his friend Frank Sinatra appointed chairman of the Bicentennial Commission; that Nixon wondered aloud whether Henry Kissinger needed psychiatric care; that Secretary of Defense Melvin Laird had his Army Signal Corps monitor phone calls in and out of Camp David; that Nixon had cottage cheese flown to the White House each week from Knudsen's Dairy in California.

Ehrlichman tells the bizarre story of a dinner party that J. Edgar Hoover threw for the president, John Mitchell, and him in September 1969. After drinks and dinner—during which the director's "longtime housemate" Clyde Tolson made a ghostly appearance—the party adjourned to the downstairs recreation room, which was decorated with hundreds of girlie pinups. Even the lampshade had naked women pasted all over it. "Hoover deliberately called our attention to his naughty gallery," Ehrlichman notes, "as if it were something he wanted us to know about J. Edgar Hoover."

TIDBITS LIKE THAT WILL earn this book an audience, but we should beware of letting Ehrlichman's anecdotes transform the Nixon years into a fatuous comic opera. Lest we forget, this was the administration that brought us the Christmas bombing of Hanoi, the Cambodian invasion, the enemies list, the wiretapping of newsmen and government officials, the "dirty tricks" campaign against political opponents, the raising of millions in illegal campaign contributions, not to mention the Fielding and Watergate break-ins.

John Ehrlichman has not forgotten. For this book is chiefly an effort to shift the blame for such malefactions onto Mitchell, Colson, Dean, Magruder, Hunt, Liddy, Ziegler, Agnew, Kissinger, and Nixon himself. (Curiously, Ehrlichman's sidekick, White House Chief of Staff H. R. Haldeman, gets off easy, suggesting to my bloody mind that the old "Prussian" may have something on the author.) Ehrlichman's message—as the title suggests—is that he was at worst a passive "witness" to the dark side of the Nixon years, at best a courageous holdout for decency, moderation, and compassion. In recounting his forced resignation in April 1973, he would have us believe that a tearful president told him, "You've been my conscience all through this mess. You were right about a lot of things—you were right about Colson and you were right about Mitchell."

Since presidential conversations at Camp David weren't taped, we shall probably never know whether those were Nixon's words. A similar dearth of evidence weakens many of Ehrlichman's exculpatory statements, particularly his insistence that he played no significant role in either the illegalities of Watergate or their cover-up. Time and again he asks us to accept his denials on faith. Lacking documentation, it is difficult to assess these accounts.

Of the Watergate crimes for which he was convicted, the one from which Ehrlichman seems most determined to distance himself was the September 2, 1971, burglary of the office of Dr. Lewis Fielding, Daniel Ellsberg's psychiatrist. Calling it "the seminal Watergate episode," he saves it to the end of the book, devoting an entire chapter to protesting his innocence. According to Ehrlichman, he never authorized the burglary, never even knew it was underway until after it was over. Indeed, he now marshals circumstantial data suggesting that Nixon himself may have ordered the break-in.

But this is an incident on which we already have prodigious evidence, amassed by the Senate Watergate Committee, the House Judiciary Committee, and the Special Prosecutor. Watergate buffs will recall that when the *New York Times* began printing the Pentagon Papers on June 13, 1971, the government went into court seeking to block their further publica-

TOM BALLENGER

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tion. But the White House also saw the imbroglio as a God-sent opportunity to tar the liberal press, the peace movement, and the Democratic Party with the "villain" Ellsberg. Ehrlichman's notes from a meeting with the president on June 17 include the line, "Win PR, not just the court case."

Put in charge of that effort, Ehrlichman established a team headed by David Young and Egil Krogh, Jr., known officially as the Special Investigations Unit, informally as "the Plumbers." The team asked the CIA for a psychological profile on Ellsberg's vulnerabilities, but the agency's first effort was so bland as to be useless. Clearly the Plumbers needed the raw data in Dr. Fieldings' files. Late in July, the FBI sought to question Fielding, who declined to violate his confidential doctor-patient relationship. Shortly thereafter, Krogh, Young, and two of their new investigators—Howard Hunt and Gordon Liddy—discussed a "bag job" on the psychiatrist's office. What happened next is amply documented by memoranda now in the public record, but never even mentioned in Ehrlichman's account.

In a memo to Ehrlichman on August 11, Krogh and Young wrote, "We would recommend that a covert operation be undertaken to examine all the medical files still held by Ellsberg's psychoanalyst." The memo left spaces for Ehrlichman to "approve" or "disapprove." Ehrlichman initialed "approve," adding "if done under your assurance that it is not traceable."

On August 27, Ehrlichman wrote Chuck Colson, "On the assumption that the proposed undertaking by Hunt and Liddy would be carried out and would be successful, I would appreciate receiving from you by next Wednesday a game plan as to how and when you believe the materials should be used."

Can one possibly believe that at this point Ehrlichman did not know the nature of the Hunt-Liddy operation? The FBI had already asked Fielding for his cooperation. He had refused. The material the Plumbers wanted lay in Fielding's files. Obviously Hunt and Liddy were going in to get it. Ehrlichman's protestations of innocence strike me as sheer flimflammery.

There is at least one of his stories I do believe. On April 27, 1973—two days before he resigned—Ehrlichman accompanied the president to Meridian, Mississippi. During the trip, he went up to the flight deck. "As I stood there," he recalls, "I was taken with the realization that I could end everyone's troubles by throwing myself against the controls, wedging myself between the pilot's control yoke and the pilot. We'd all be gone in about a minute and a half."

In an administration suffering from an apocalyptic death wish—and quite prepared to bring the rest of the country down with it—*that* has the ring of truth.

PAWNS OF YALTA: Soviet Refugees and America's Role in Their Repatriation, by Mark R. Elliott. University of Illinois Press, 301 pp., $17.95.

The last secret

NIKOLAI TOLSTOY

*PROFESSOR ELLIOTT'S A*chievement is immense. A glance at his twenty-five pages of bibliography shows how widely and comprehensively his researches have ranged. He has combed national and private record centers with exemplary industry, and has deeply studied the American and Soviet published literature. Among other fascinating detective-work, he shows that Soviet literature after Stalin, which began grudgingly to acknowledge that vast numbers of Soviet citizens fell into German hands and returned, contains a significant blank regarding the time between 1945 and 1955 (when Khrushchev issued an "amnesty" to survivors in camps and prisons). Finally, when the fact *was* publicly accepted, it was combined with the absurd claim that the millions of Soviet citizens in the Reich constituted a (perhaps *the*) major European resistance group. The indisputable fact that, partly despite and partly because of German brutality, nearly 1 million Russians (most of them under the command of Lieutenant General Andrei Vlasov) actually joined the German war effort is something the Soviet Union has never dared admit. But it is not enough to state the bare outlines of Soviet shifts in attitude, and Professor Elliott provides us with an admirably full excursus.

Important though all this is, however, it tells us little that we could not guess if we wished. The Soviet regime came into existence and survived only by the consistent and continual practice of terror. The repatriates were subjected to a terrible fate, but it was more terrible only in degree than that of the Soviet citizens who stayed behind. What is really fascinating are the motives and reactions of the American statesmen and soldiers who joined with their British allies in handing over more than 2 million "Russians" (including a high proportion of Ukrainians, Turkomans, etc.) to a dictator whose barbarities had only been rivaled while Hitler lived.

Thousands were indiscriminately massacred (at times in the presence of U.S. troops), others were subjected to brutalities of which actual torture was a regular component, and hundreds of thousands were driven off into the slavery of the camps. There is no avoiding the fact of British and American complicity in this mass purge, which tragically sullied the last days of a crusade that in other respects really had been one of light against darkness. The responsibility cannot be avoided, and it is the historian's delicate task to apportion it as meticulously as possible.

My own researches revealed a pronounced difference between British and U.S. attitudes. The moment the question of the use of force against reluctant Russian returnees arose in the spring of 1944, British Foreign Secretary Anthony Eden and his officials adopted the policy with unqualified enthusiasm. They never attempted to bargain with the Soviets, never expressed regrets over the inhumanity or the illegality of the measure, never attempted to mitigate the suffering involved, and never wished to see the policy ended.

As if this were not enough, the British Foreign Office encouraged or countenanced brutal treatment of women and children, and tolerated on occasion actual murders committed in the West by representatives of SMERSH (the Russian counterspy organization) in the Soviet Repatria-

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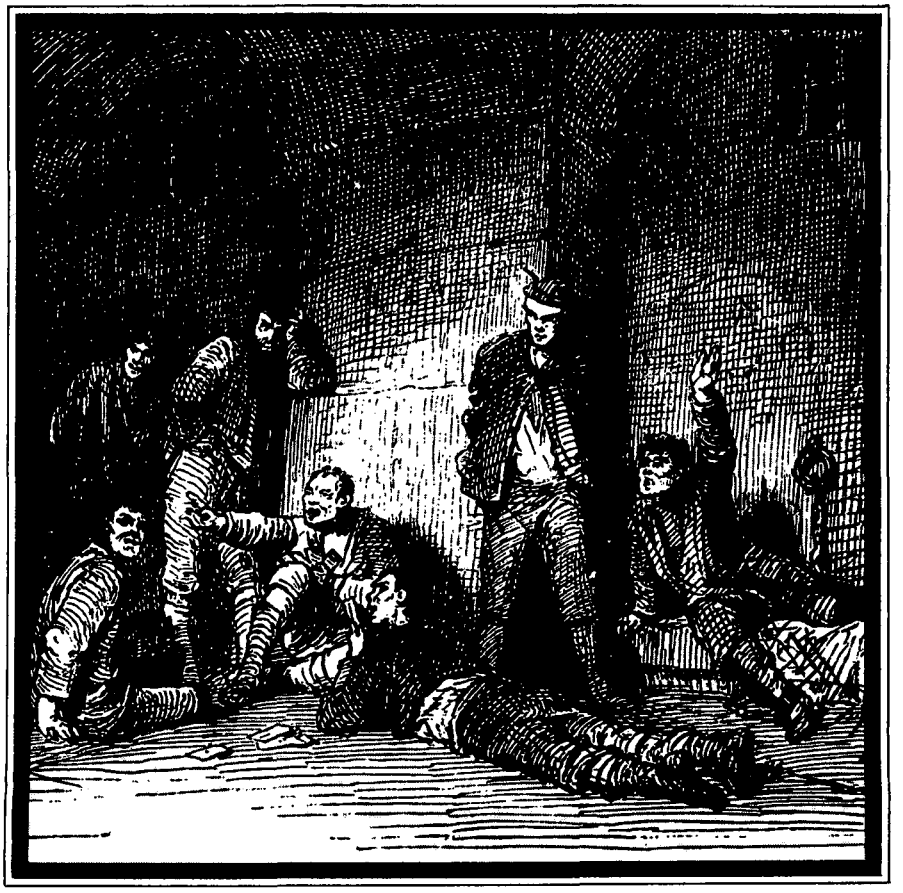
tion Commission. Perhaps worst of all was the independent conspiracy engineered by Harold Macmillan in Austria, when between 2000 and 3000 high-ranking tsarist officers were surrendered to SMERSH, despite the fact that they had never been Soviet citizens and were not covered by the Yalta Agreement. They were predictably hanged in Moscow (or they died in labor camps north of the Arctic Circle).

The Foreign Office permanent officials included men like Sir Geoffrey Wilson (now chairman of the international Oxfam charity), who was an uncritical admirer of Stalin and NKVD (the Soviet secret police) rule in the USSR. The evidence is strong from their own minutes and letters that they regarded their task as congenial and fulfilling. No amount of eyewitness accounts of appalling massacres at Murmansk, Odessa, and elsewhere shook their resolve, and never since have they been known to express any regret.

Naturally, the picture is not entirely black and white. Prominent figures like Churchill himself, Lord Selborne, and Field Marshal Harold Alexander were distressed by what was happening and in varying degree attempted to mitigate the harshness of the policy. The troops called on to perform their unmilitary task were almost unanimous in regarding it with revulsion. But their resistance was largely in vain, and the operations continued for nearly three years. It is a shabby story, almost universally condemned in Britain today.

The American story, as I saw it, presented many contrasts. So far as I knew, the Americans never contemplated the use of violence against women and children, or the illegal handing over of White Russians. They appeared to have entered upon the policy with great reluctance, and amid much high-placed opposition. Despite this they *did* decide on force, and employed it in a number of very ugly incidents: at Fort Dix in the United States, and at Kempten, Dachau, and Plattling in occupied Germany. These I documented in detail, but what struck me as forcibly as the brutality involved was the disgust it aroused: amongst the soldiers, predictably, but also within the State and War Departments and in Macmillan's counterparts among the Americans in Europe, Alexander C. Kirk and Robert D. Murphy. The Russians' rights under international law, totally discounted by the British, were a matter of serious concern to American statesmen such as Joseph C. Grew and Henry L. Stimson.

Muddled, ill-informed, unscrupulous on occasion, American policy was nonetheless rarely deliberately bloody-minded or even enthusiastic.



American ignorance of European concerns, a subject of regular derision on the part of British functionaries, played a significant part in their agreement to the repatriation. British commitment to the use of force was decided in September 1944, long before Yalta. In contrast the Americans signed the agreement at Yalta seemingly without being aware that it implied coercion. Despite this they came to accept the British interpretation and undoubtedly sent thousands of helpless people to death or indescribable suffering. But again it must be said that opposition was vociferous at all levels, and virtually every bloody incident aroused major reappraisals of the entire policy.

Muddled, ill-informed, unscrupulous on occasion, U.S. policy was nonetheless rarely deliberately bloody-minded or even enthusiastic. Many will consider it to have been shameful enough, but it cannot be compared for sheer insensitivity and even malice with the British record.

SUCH WERE MY TENTATIVE conclusions, and I was filled with curiosity to see how Professor Elliott's researches would, as he once claimed, come to refute them. I was surprised, therefore, to find that in the main his evidence strongly confirmed the mitigating features of U.S. policy. The opposition of Henry Stimson and Francis Biddle was unknown to me, and the degree of muddle was even greater than I had suspected. He uncovered no new evidence of brutali-

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ties beyond those I had already documented. In what way then was American policy so much worse than I had described?

Here one is reluctantly compelled to note that Professor Elliott's admirable achievement is seriously flawed. He claims that from an early date Generals George C. Marshall, Dwight D. Eisenhower, and John Deane "agreed to Moscow's insistence upon forced repatriation," and that when Deane signed the Yalta Agreement on February 11, 1945, he was aware that it implied the use of force, despite the fact that its text nowhere alludes to that delicate issue. For this assertion, which flies in the face of all the evidence, Elliott cites no references whatever beyond Eisenhower's December 1944 plea that "the only complete solution to this problem from all points of view is the early repatriation of these Russians." But Elliott is unconsciously employing hindsight here: Eisenhower did not as yet appreciate that force might be necessary. Until evidence to the contrary can be produced, the only possible assumption (confirmed by Charles E. Bohlen, the veteran foreign-service officer who eventually became ambassador to Russia) is that the U.S. signatory at Yalta was *not* aware that the agreement involved the use of force. This view has recently been confirmed by Averell Harriman, who says of the Yalta Agreement: "I don't think it ever occurred to anyone on our side that the Russians would refuse to return home because they had good reason to suspect that they would be sent to their deaths or to prison camps. . . . Nothing in the Soviet-Allied agreement required the U.S. and British commanders to repatriate Soviet soldiers against their will." In any case Elliott himself in a later section of his book flatly contradicts his earlier claim, writing that "General Deane . . . signed the Yalta repatriation accord without realizing the sentence he was imposing upon millions of Soviet nationals."

The fact is that at the time of Yalta the Americans had not yet committed themselves to the use of force, nor were they fully aware that such a contingency existed on any large scale. It was in the coming months that they half-heartedly, gradually, guiltily undertook the commitment they literally had not bargained for. It was then they found themselves embroiled in the shameful and bloody episodes mentioned earlier. These resulted in an abrupt stop to the program, which took up its shabby culmination in the so-called McNarney-Clark Directive, whereby only male Soviet citizens in German uniform who had provided material aid to the enemy were held liable for return.

It is often forgotten today how Britain's traditional world role and greater experience affected the U.S. during World War II.

Elliott effectively castigates U.S. failure to drive a harder bargain with the Soviets, the lack of moral principle involved in forced repatriation, and the childish gullibility of many officials in the face of Soviet cruelty and rapacity. Unfortunately, however, he presents an overall picture that is seriously distorted, since U.S. participation in Stalin's purge of the (largely involuntary) Soviet expatriates was almost entirely based on ignorance of Soviet realities, faulty diplomacy, and a general failure to understand the issue's implications. For a policy that caused so much suffering, ill will and premeditated inhumanity played a remarkably negligible part.

The most serious flaw in Elliott's work, however, is not the degree of minor factual error, but of massive omission. Presumably because he felt I had covered British participation fully in *The Secret Betrayal,* he confines his story to the American record. There would clearly be no point in repeating at length what is set down elsewhere. But it is not possible to understand American actions without a full grasp of British policy. British intransigence Elliott dismisses in a few passing sentences inadequate to its enormous influence on U.S. policy.

It is often forgotten today how Britain's traditional world role and greater experience impressed and affected the United States during World War II, particularly in the fields of diplomacy and intelligence. On forced repatriation the Foreign Office held rigid views that it was determined to enjoin on the Americans. By preempting the decision to use force they placed the Americans in a position where it was difficult not to follow suit. Russians captured or liberated in France by U.S. troops were being repatriated to the USSR by the British through Egypt and Iraq long before there had been any U.S. decision.

At Yalta it was largely British pressure that resulted in the Americans' agreeing to a separate but identical document containing no provisions for protection of the repatriates from ill treatment on return. British pressure, directed by the Foreign Office, continued up to the end unremitting in its efforts to induce the Americans to join in maximum cooperation with the Soviet Union until the last fugitive—man, woman, and child—had been safely handed over.

Finally, Elliott notes critically that "the United States still stuck to the policy as long as the British." This is true so far as it goes, but he has evidently overlooked Thomas Brimelow's claim, made at the British Foreign Office in January 1946, that the Americans only agreed to resume operations "under British pressure." Brimelow may have been wrong or exaggerating, but the historian of America's repatriation policy cannot afford to ignore such indications.

IMBALANCE IS THUS THE serious weakness of this otherwise admirable book. In discussing the fate of the Russians after their return, for instance, Elliott gives a very full and fascinating account of Soviet suppression and distortion of news of the event. But he virtually ignores the voluminous first-hand émigré accounts, which are far more important since they describe what *did* happen. Possibly, again, this was because I had made full use of these memoirs, but a summary at least would not have gone amiss. Much more startling is his almost total failure to obtain information from survivors of the events, thousands of whom are still living. His list of interviewees comprises six names, three of which are anonymous and one his own. Why no first-hand accounts from Harriman, Bohlen, George Kennan, Mark Clark, Robert

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Murphy, or other surviving highly-placed officials and generals? What of the numerous senior Vlasovite figures living in the States, or defecting Soviet figures? By ignoring such invaluable sources Elliott not only deprived himself of unique testimony, much of it now irretrievably lost, but also inevitably produced a rather colorless account, much affected by hindsight and providing scant impression of the reality of life in the terrible turmoil of 1945.

With all these strictures, however, there is no question but that Elliot has made an invaluable contribution to the study of an enormously important historical event. Whatever else comes to be written on the subject, historians from now on possess the first fully documented account of American policy, one that is essential reading and unlikely to be superseded.

STALIN'S AMERICAN POLICY: From Entente to Détente to Cold War, by William Taubman. W. W. Norton, 291 pp., $18.95.

Cold War origins

WALTER LAFEBER

WITH HIS USUAL MODESTY, Dean Acheson entitled his memoirs of U.S. foreign policy between 1941 and 1953 *Present at the Creation.* Those years ushered in the Cold War era that has distorted, corrupted, and nearly bankrupted American, if not international, society. The stumbling stupidity of the Reagan-Haig-Weinberger foreign attitudes (they have yet to reach the stature of policies) is a simple extension of the Acheson-Truman world view. That world view climaxed in early 1950 with a strategic plan, NSC-68, aimed at overthrowing the Soviet "totalitariat" and quadrupling U.S. military spending.

William Taubman, a professor of political science at Amherst, argues that in similar fashion Leonid Brezhnev's Cold War policies are closely linked to those of Joseph Stalin; or, as Taubman ends his book, "a true meeting of the minds [between the United States and the USSR] must await the day when it can no longer be said as it can today—Stalin's American policy lives!"

The revisionists undercut much of what Taubman writes about Soviet-American relations.

This could be a useful insight if the volume precisely analyzed either Stalin or his American policy, or if it offered a consistent interpretation that opened new insights. Instead, this is another extended essay on the Cold War's origins, one more reconnaissance mission to discover a middle way through the ideological mine-field that has on one side the "orthodox" historians, who largely accept State Department explanations (yes, such people still exist), and on the other side "revisionists," who are critical of U.S. policy. Taubman, however, is not certain about who his targets are in the revisionist trenches. He zeroes in on Gar Alperovitz's *Atomic Diplomacy* and destroys Alperovitz's argument that it was Harry Truman's toughness (and ignorance) that triggered the Cold War. Taubman never understands that other revisionists, especially William Appleman Williams, Gabriel Kolko, and Lloyd Gardner, rejected Alperovitz's thesis—and nailed Franklin D. Roosevelt with much of the blame—more than a decade ago. They also undercut much of the story that Taubman tells about relations between the United States and the USSR in the 1940s.

In his journey through the mine-field, Taubman exemplifies Robert Frost's dictum that the middle of the road is, after all, the most dangerous place to walk. The political scientist, unlike the poet, wants to have it every way. When Stalin is a tough bargainer on German issues he is being voracious, but when he is accommodating he is only shrewdly biding his time. The most important word in this book is "but." In the summary pages, nearly every assessment of Soviet policy is followed by a quick return to the white line in the middle ("the old ideology is dead.... But ideology also contributes ... to making genuine accommodation an unreasonable subject for Soviet diplomacy"). The priorities, the considered ranking of what was most important in Stalin's diplomacy, is lost. The reader sympathizes with Truman's complaint that he needed one-handed advisers to spare him from the liberal liturgy of "on the one hand... but on the other...."

There are two reasons why such hedging continues to plague Cold War literature. First, Soviet perspectives, including Stalin's view of the past, are often ignored. George Kennan set the bad example when, in his Mr. "X" article of 1947 that outlined the containment policy, he somehow forgot to mention that Russian fear and mistrust of the West might be related to the thousands of U.S., British, French, and Japanese troops who invaded and occupied parts of the Soviet Union between 1918 and 1920, or might have something to do with the Anglo-French attempt (especially at Munich in 1938) to turn Hitler's armored divisions eastward. Roosevelt went along with that Anglo-French policy until he saw that the Munich agreement would not work, but then it was too late. Stalin drew his own conclusions and made a deal with Hitler to carve up Eastern Europe. Taubman discusses the deal, but he never analyzes either the West's actions that led up to it, or even Stalin's public statements in 1938 and 1939 blasting capitalist diplomacy for appeasement.

It is striking that in discussing Stalin's assumptions the author never deals with the most important American debate on the subject. In 1946 and 1947 Kennan argued that since misguided Marxist ideology and Stalin's (and his inner circle's) selfish sense of self-preservation paralyzed Soviet policy, negotiations were of little use. Walter Lippmann attacked Kennan by reasoning that historic Russian insecurity and a necessary reliance on military power shaped Stalin's policy. Lippman concluded that negotiations could deal with the insecurity and result in a mutual withdrawal of troops from Central Europe. (Kennan later admitted that Lippman was correct and that negotiations should have been attempted.) There

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was a third position: The Soviet ruler was so psychotic that he could not be treated rationally in the foreign-policy arena. To Taubman's credit he refuses to use this easy way out and largely dismisses this third view. Neither does he, however, deal with the tough, fundamental questions raised by the Kennan-Lippman exchange.

The second reason for hedging and confusion in Cold War writings is even more basic than ideology. It involves a failure to tell both sides of an issue, or it mixes up chronology so that the relation between cause and effect appears to be different from what it was. We are told, for example, of how in 1944 Stalin tried to gain a sphere of influence in Iran along that country's long common border with Russia, and how he insisted on keeping his troops in Iran during early 1946 until Truman faced him down in the first public superpower confrontation of the Cold War. We are not told, however, that it was the U.S. concessionaires who opened the race for Iranian oil in 1943-1944; the race continued until, when the Russians wanted to enter, the State Department suddenly stopped it. We are not told that Roosevelt signaled a willingness to allow Stalin increased Russian presence in Iran (after all, the shah's family had shown a distressing tendency to cooperate with the Nazis) until the State Department convinced the president to disavow the signals. We are not told that in 1946 Stalin withdrew the troops after the Iranian government promised to negotiate seriously about oil rights and Russian border concerns, only to break the promise after Stalin withdrew the troops.

We are told in detail how, in the author's view, the Soviet ruler took advantage of Roosevelt's naive policies to protect self-determination in Eastern Europe, and how Stalin manipulated differences between Churchill and FDR to expand Russian political power. Taubman, moreover, is on the mark in claiming that it was the December 1943 Tehran conference of the Big Three, not the more famous Yalta meeting fourteen months later, that sealed the fate of Poland and several other Eastern European countries. We are not told, however, how the Tehran talks were shaped by the military situation, especially the massive Red Army summer offensive that single-handedly turned the tide of the European war in 1943. Nor are we told enough about Churchill's weird deal with Stalin in October 1944 that assigned most of Eastern Europe to the Soviet sphere of influence in return for Stalin's giving the prime minister a free hand to put down the left-wing revolution in Greece. When we do finally learn something of the 1944 deal in *Stalin's American Policy*, it is long after a description of how the Russians in 1945 took control in Rumania and Hungary. Anything the chronology might reveal about the relationship between the Churchill-Stalin deal and Soviet actions in Eastern Europe six months later is, consequently, lost.

Taubman ends the volume with a provocative chapter that notes the links between Stalin's and Brezhnev's foreign policies. This is an important kind of exercise; Seweryn Bialer has performed it most profitably in several recent books. Bialer, however, understands the importance of investigating ideological complexities, keeping the chronology straight, and—at appropriate points—being a one-handed historian.

We have long known that Acheson and his boss took a tough approach to the Russians. Truman expressed it clearly when he announced he would get "85 percent" of everything he wanted from the Soviets. He did not even come close, despite overwhelming U.S. economic power and a monopoly of the atomic bomb. Instead he got a Cold War. As Taubman argues, we must understand this earlier era, including the forces that drove Stalin to dominate Eastern Europe. Since Reaganites and others in the Caveman Right have learned nothing from the mistakes of the 1940s and early 1950s, the rest of us had better get the story straight. This is no time for Achesonian Creationists in foreign policy. ❏

We are not told how the Tehran talks were shaped by the massive Red Army summer offensive that single-handedly turned the tide of the European war in 1943.

OUT OF THE PAST, by Alexandra Tolstoy. Edited by Katharine Strelsky and Catherine Wolkonsky. Columbia University Press, 448 pp., $19.95.

Unwelcome witness

LEONARD SCHAPIRO

ALEXANDRA TOLSTOY WAS the youngest daughter of Leo Tolstoy. She died in New York State in 1979 at the age of ninety-five. Her works on her father are, of course, widely known, and have been translated into many languages. She also played a considerable part as coeditor of many of the ninety volumes of the definitive edition of her father's works published in the Soviet Union between 1929 and 1938. She acquired wide fame first in Japan and then in the United States by her lectures on her father and his work. Her most lasting achievement was the creation in 1939 of the Tolstoy Foundation, which has been a source of generous help and support for Russian and other refugees.

It is only posthumously that this warm-hearted and remarkable woman (and Russia is the breeding ground of remarkable women) has at last spoken for herself. These memoirs were written over many years, in Russian, and it is due to the persistence and dedication of Professor Wolkonsky (Alexandra Tolstoy's secretary and companion) that such a splendid book has at last emerged. Leo Tolstoy and the foundation are only incidental in this book; it is about the daughter who was content to live in her father's shad-

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ow, but whose life was full and important in its own right. The experiences described fall into four periods: World War I, when she worked as a nurse at the front; after the victory of the Bolsheviks, in Soviet Russia until 1929; two years in Japan; and the first years after her arrival in the United States in 1931.

Her service as a nurse at the front was under the All-Russian Zemstvo Medical Service—a vast assembly of voluntarily equipped and manned field hospitals, together with doctors, orderlies, and drivers, which played a vital part (in addition to the Red Cross) in trying to deal with the terrible casualties of the war, often beyond the capacities of the regular army medical service. She served, it would seem, with distinction on both the Turkish and North Western fronts, suffering great hardship, and witnessing untold suffering, wild carnage, and, above all, the horror of gas attacks. She is not the first to ask the obvious question, What does mankind achieve by all this slaughter? And she recalls how her father in 1910 changed his mind at the last minute about attending a peace conference in Stockholm, appalled by the prospect of discussions about peace without the acceptance as a fundamental law of the commandment "Thou shalt not kill."

There is a vivid account of the effect of the revolution of 1917 at the front—the chaotic mixture of idealism, anarchy, indecision, and inconsistency that defies the historian, and is scarcely more credible in an eyewitness account. By the time Alexandra Tolstoy arrived in Moscow, the Bolsheviks had achieved power. She moved to her father's estate, Yasnaya Polyana, now a sad relic of former days. The next few years were to bring repeated arrests, imprisonment, and clashes with the crude authorities of the new revolutionary regime. As a member of the nobility Alexandra was suspect, but as Tolstoy's daughter (and, be it said, on account of her courage and commanding personality) she could usually escape the more serious hazards of life in those tempestuous and unpredictable days in Russia. Eventually, she succeeded in persuading the authorities to let her start a school at Yasnaya Polyana, now under the ministrations of the local communists as a Tolstoy center—the communists saw nothing inconsistent in propagating atheism at a Tolstoy center. Appalled and outraged, Alexandra managed to escape from the country by talking the communists into letting her go on a lecture tour in Japan. She left, not intending to return, just as forced collectivization was getting into its stride.

The chapters on life in Japan are among the most delightful in the book. This was prewar Japan, and Japan not yet overwhelmed by the war, by defeat, and by the onslaught of industrial energy with which it has striven to compensate for defeat by beating the victors at their own materialist game. Although my acquaintance with Japan (after the war) is slight, I suspect from Alexandra Tolstoy's account that much more of the charm of traditional Japanese life survived in 1929–31 than was to be discerned thirty years later. She earned a pittance by giving Russian lessons and by lecturing about her father, whose philosophy had what seems to have been a large following in Japan. She was, however, appalled to discover that her accounts of Soviet reality as she had seen it were treated with incredulity and hostility, by "progressive" young Japanese who had been well indoctrinated by Soviet propaganda. She was astonished to be harangued by them on the subject of the greater freedom and justice that prevailed in the Soviet Union, in spite of "temporary difficulties." It was a foretaste of what was to come when she reached the United States in 1931.

She left Russia just as forced collectivization was getting into its stride.

The early years in America were hard for her—earning a living was difficult, and life in the cities, especially New York, did not suit her. However, there was the compensation of an apparently surprise reunion with a brother whom she had not seen for many years. He died soon after of cancer. His sister was with him to the end; her support of him in his last hours and her acceptance of his death are among the most moving things described in the book. But it is, after all, small wonder that the daughter of the man who wrote *The Death of Ivan Ilyich* should reveal such understanding of the meaning and significance of death in our short time on earth.

For a number of years, until generous benefactors made the Tolstoy Foundation possible (and the foundation afterwards absorbed all her energies), Alexandra lived by a combination of modest egg-farming in Connecticut and by lecturing. President Roosevelt was elected in 1932, and recognition of the USSR soon followed. An appalling number of American intellectuals were persuaded that Soviet society was the perfect model for the future Utopia; it was the age of the pilgrims to the Soviet Union only too ready to be duped by what they were shown, so well analyzed by Professor Paul Hollander in his *Political Pilgrims*, recently published by Oxford. Alexandra found it hard going to persuade her audiences that all was not as they, for the most part, believed it to be. (Occasionally, her wit came to her rescue. "Madame speaker," asked one member of a particularly turbulent audience, "kindly explain why we do not hear of gangsters, kidnappers, and all the other kinds of crooks in Soviet Russia, when there are so many here?" "Why, it's very simple, Comrade," she answered. "In America they put criminals in jail, but in Soviet Russia they run the country.") But it was not only the "comrades," who were presumably organized to break up her meetings, with whom she had to contend. When she met Eleanor Roosevelt at the house of friends in Richmond, Virginia, she tried hard to raise the question of Soviet Russia with her, but Mrs. Roosevelt "was either talking with someone else, or changed the subject." When she found herself alone with the president's wife in the garden, the First Lady ignored her attempts to raise the subject of Russia, and talked about the view.

I presume Alexandra was regarded as an embittered and prejudiced aristocrat. The rise of national socialism in Germany, no doubt, had the effect in the United States, as elsewhere, of inclining people to take the best view of what was then regarded as Hitler's main enemy. Even so, the evidence of the nature of Soviet society was already available. Recognition of the truth by our Western societies may not, in the end, have made much practical difference. It might have saved our reputations as defenders of liberty and guardians of democracy. ❑

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FILM

***MAKING LOVE*, directed by Arthur Hiller.**

***PERSONAL BEST*, directed by Robert Towne.**

Gay dogs

STEPHEN HARVEY

THE MATING OF SELF-CONsciously progressive themes with emotionally primitive moviemaking is a Hollywood tradition that dates back at least two generations. Thirty-five years ago, the movies intrepidly proclaimed that bigotry against blacks and Jews was positively beastly, especially when the Negro in question was Jeanne Crain, and the Israelite Gregory Peck, who wasn't really one anyway but only pretending. Two decades later, moviegoers were ravished by the revelation that interracial marriage could be a boon, provided that the bride was Katharine Hepburn's real-life niece and fictional daughter and the groom was Sidney Poitier and a research scientist with the United Nations. These days, of course, we're all incredibly sophisticated, despite that brimstone spewed weekly from electronic pulpits in Texas and Virginia. So I guess we can take it, now that Twentieth Century–Fox has boldly and forthrightly murmured that being gay can bring fulfillment, so long as you end up settling down with a nice, stable mate who's a lawyer with blond hair and an apartment with a glassed-in terrace overlooking Central Park.

I know we broad-minded types should feel an obligation to applaud any movie righteous and daring enough to broadcast this startling news, considering the undeniable present undercurrent of bigotry, but somehow my heart just isn't in it. Not that *Making Love* should have much to worry about in the fainting-in-the-aisles or boycotting-at-the-box-office department in any case. Those who, in their lack of worldliness, find even the merest allusion to homosexuality repulsive would scarcely have patronized it, bigotry or no; they didn't exactly flock to *Cruising*, the Inferno to this movie's Purgatorio. The mass of folks who, in the manner of Phil Donahue's daily communicants, consider the whole business intriguing if faintly repellent should feel right at home: *Making Love* is another pass/fail elective course in the My-Problem-And-How-I-Solved-It school of TV-movie dramaturgy. Gays who care merely that their situation be presented benignly could scarcely quibble with *Making Love*'s blandly earnest pitch. In fact, the only people likely to be affronted by this film are the artistically fastidious, and Heaven knows there's no pleasing them.

To its dubious credit, *Making Love* makes a play for the approval of that audience too, with the toniest collection of cultural referents contained in any maudlin thesis-movie within memory. The Fox logo has barely faded from view before we're plunged into Ingmar Bergmanland—intercut confessional closeups of the spurned wife (Kate Jackson) and capricious lover (Harry Hamlin) against blank white backdrops, alternately expressing the joy and torment wrought by Michael Ontkean, the shared man in their lives. It's soon revealed that although Ontkean and Jackson vented those ordinary human feelings shared by us all, before their rupture they weren't just your average L.A. upscale couple. They read Rupert Brooke, crooned Gilbert and Sullivan duets, and broke bread with no less than Dame Wendy Hiller, their downstairs neighbor. Such discernment and sensitivity extended to their professional spheres as well—he as a doctor in private practice providing his patients with succor as well as skill, and she in the role of a rising network executive who rails against her superiors for pandering to the public's abject taste rather than stretching its intelligence. (That such words are uttered by the actress who formerly graced "The Rookies" and "Charlie's Angels" is one of this film's lesser felicities.) This being a movie with a palpable instinct for fair play, Hamlin is not exactly a bimbo either, even if he does spend an inordinate amount of his spare time lounging in bars and pumping iron. No, he's a prominent young novelist, whose most recent tome is entitled *Good Intentions*, in a typically deft stroke of characterization by screenwriter Barry Sandler.

Yet the real source of sustenance for this classy trio turns out, in more ways than one, to be the movies of the fifties. Ontkean/Jackson can recite every sodden line from that Cary Grant/Deborah Kerr weeper *An Affair to Remember*, while Hamlin's second favorite indoor pastime is watching Elizabeth Taylor in *Raintree County* and *Cat on a Hot Tin Roof* on his Betamax. Sandler's own allegiance, seconded by director Arthur Hiller, is to a rather schlockier set of Grauman's Chinese role models. As her voice clots into a winsome rasp, Jackson evolves into a brave and bonny June Allyson helpmate. In counterpoint to his Neanderthal facial structure and Victor Mature physique, Hamlin plays the litterateur in a manner reminiscent of Joan Crawford's Bohemian artist in *Daisy Kenyon*—right eyebrow permanently cocked, tremolo deepened to a buttery simmer. And we've certainly seen Ontkean's somber square with an ulcerated secret dilemma before; he's *The Man in the Grey Flannel Jockstrap*.

So it's hardly surprising if *Making Love*'s tone apes the formula-ridden stuffiness of all those fifties melodramas so bent on decrying the price conformity exacts from the free soul trapped in its thrall. Sandler and Hiller scrupulously eschew the images of sad, mad faggotry that were emblazoned on the screen throughout the sixties and seventies; in fact, the only putatively "gay" attribute of anyone in sight is Hamlin's pride in his pectorals and penchant for lumberjack shirts. Stripped of stereotypes, everyone simply resorts to lots of movie-movie attitudinizing. After his apprenticeship in the likes of *Willie and Phil* and *Voices*, Michael Ontkean can spring into furry-gazed ardor quicker than you can say "Print it!" His character may be in the throes of a bad case of divided affections, but the actor is nothing if not focused—his job is to project boyish lovableness. Hamlin's specialty here is aloof hubba-hubba, but his hold on Ontkean remains

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something of a mystery. The bond between them is supposed to be more than carnal; in a movie as moist as this, nothing as vulgar as mere sex could sunder a union like Ontkean and Jackson's. It probably isn't his artistic soul either, which tends to express itself through such fresh pronouncements as "Physician, heal thyself"; it certainly wouldn't be his resolutely promiscuous lifestyle, which Ontkean vocally abhors. (As does this movie; *Making Love* implies that no gradations or options exist between monogamy and a life of one-night stands.) Hamlin doesn't even like *H.M.S. Pinafore*. In fact, their relationship is pure hypothesis, scantily fleshed out with the trembling candor of a few smooch scenes, and a few perfunctory mini-climaxes consisting of blurted-out desires and pent-up hurt feelings.

Screenwriters with loud voices and large egos like Erich Segal and the late Paddy Chayefsky must have adored working with a director of Arthur Hiller's mute self-effacement; he certainly never let any of his own vision upstage their noisy muses during *Love Story* or *Hospital*. Hiller embellishes this project with his usual supply of overexposed camerawork and underripe characterization, all too perfectly in keeping with the pallid sympathy-begging tactics of the script. Years from now, when people talk about *Making Love,* and they will, they'll be kind, I suppose. Already, industry observers have voiced their fears that if *Making Love* fails, Hollywood will never risk a serious, nonexploitative treatment of gay life again. Actually, *Making Love* is itself the problem rather than the solution, as far as I'm concerned. If a terrific script on this topic were to find its way to some producer's desk, even before the returns on Fox's entry were in, its timeliness would have been blunted in *Making Love*'s wake. Besides, I'm not sure that silence wouldn't be preferable to swill like this, if that's the only choice we're likely to get. If I had a Betamax like everyone in this movie, I'd retire Liz and Cary for a while, unspool my tape of *Sunday Bloody Sunday*, and sigh over botched opportunities.

MAKING LOVE CERTAINLY knew what it wanted to say, even if it hadn't the remotest idea of how to express it persuasively; Robert Towne's *Personal Best* is a considerably slicker movie whose bead on its lesbian love story lurches into a different direction every half hour or so. But then the directorial debut of the man who wrote *Chinatown* and *Shampoo* is a package of canny cross-purposes on just about every other score as well. Set in the milieu of women's track competition, *Personal Best* ostensibly pays tribute to the gritty determination of female athletes—droplets of sweat staining the course, sprinting bodies tensed in slow motion in the patented visual vernacular of *Chariots of Fire* and all the others of its ilk. Yet after a montage of crotches negotiating high jumps in hypnotic closeup and the third or fourth peep at these female jocks unwinding in the steam room, I began to wonder if all this wasn't merely Towne's excuse for a voyeuristic ogle of the feminine form. (I doubt if all those who thrilled to *Chariots* would have found it so innocently beguiling, had its director closed in on those masculine calves and pubes with such avid scrutiny.)

Although Towne lingers over the sensual contrast between Mariel Hemingway's rangy form and Patrice Donnelly's sinewy frame during their first erotic interlude early on in *Personal Best*, it's undeniably more than a vicarious turn-on. Hemingway is a tyro runner brought out in a double sense by Pentathlon champ Donnelly, and their early scenes together have a relaxed charge which the movie dispels as soon as the director starts to get nervous about how the audience might react to all this. Despite her tireless athletic ambitions and innate stubbornness when crossed (attributed in the script to her Indian forebears on her mother's side), Hemingway is basically something of a passive type who finds herself the pawn in a struggle of will between Donnelly and their stern, unflappable coach, played by Scott Glenn. Hemingway's air of opaque, uncomprehending sensitivity and Donnelly's spare, coiled confidence play off each other compellingly, amplified by Towne's ear for mumbly sports smalltalk. Yet the movie goes desperately awry once Hemingway jumps the hurdle to a finish line of heterosexuality and triumph.

The script makes it clear why this confused adolescent would want to distance herself from the demands of a complex adult like Donnelly. It even makes sense that the sexual identity of a character with such a putty-like self-image as Mariel's would waver as it does. Still, Towne's touched-up portrait of the male Olympic swimmer (Kenny Moore) who wins Mariel betrays the real motive for her conversion—the director's fear that all those

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moviegoers out there could never warm up to a movie heroine who wasn't finally straight. The contrast between Donnelly and dreamboat Kenny Moore could scarcely be more synthetic—or more revealing. Donnelly is all sulks and sarcasm, seeing phantom rivals where none exist; a word of misplaced advice from her on the field, and Hemingway is out of action for months with a dislocated knee. Moore is the soul of sweet-natured good sense, who broods not a whit over her errant romantic past; a few syllables of encouragement from him, and she rockets straight ahead to a place on the Olympic team. Towne can't bring much conviction to the cutesy idyll he's fabricated between the two of them, but then he doesn't really have to try—its mere presence is a comforting sop to anyone determined to believe that in a good, fair fight, queerdom is bound to lose out, every time.

Once Towne has captured the confidence of his audience, he can afford to loosen up again; at the climactic campaign for the Olympic qualifying trials, Donnelly can stop scowling, we can root for the lesbian—who's no longer any threat—once more, and everybody emerges a winner. A newcomer to directing like Towne still has a few tricks to learn about how to pace a film to a satisfying crescendo. But after all his years in the business, when it comes to tap-dancing around a volatile subject, there's nothing Towne doesn't know.

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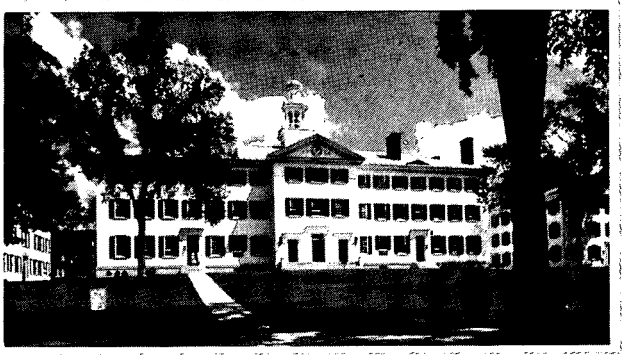

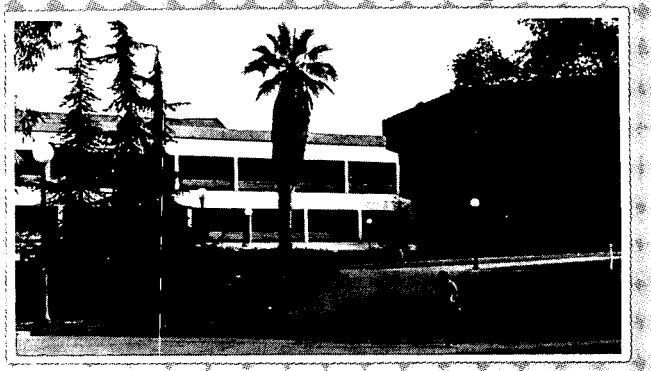

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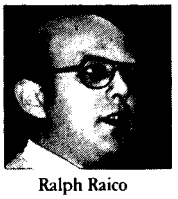
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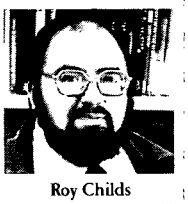
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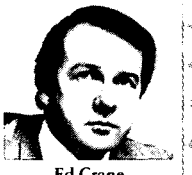
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